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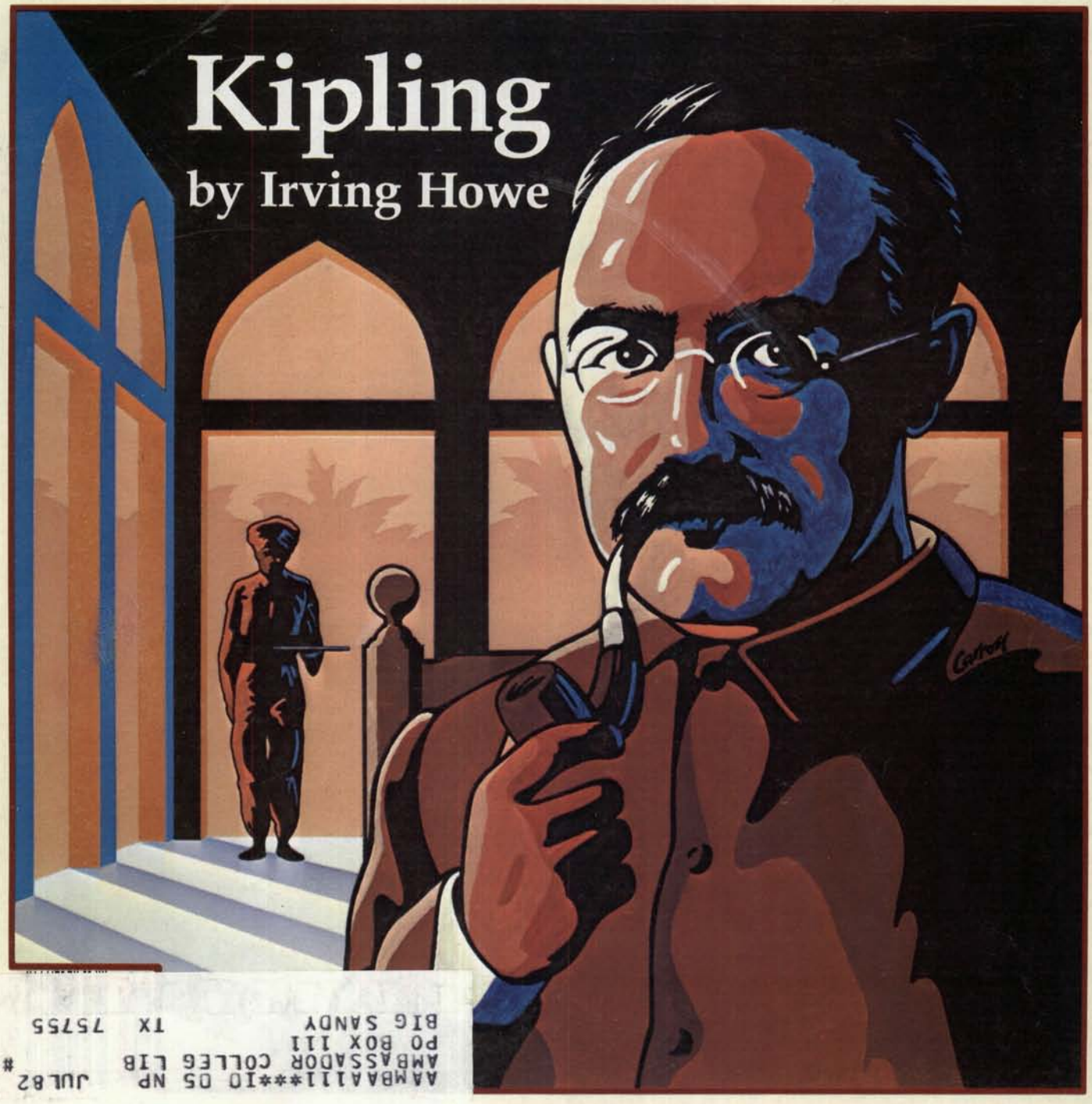
Ronald Reagan's Lemon Federalism

Poland's Agony Through Western Eyes

THE NEW REPUBLIC



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CORRESPONDENCE

RALLY ROUND REAGANOMICS

To the editors:

I am surprised that TNR has joined the wolfpack in pursuit of President Reagan's economic policies. Nor was I amused by Henry Fairlie's satirical verses, "A Trickle Down Christmas" (December 30, 1981). Apparently the editors of THE NEW REPUBLIC have decided to pull all stops in excoriating the Reagan Administration and predicting disaster for the nation.

Such blanket rejection of Reagan's plans is at best premature. They did not come into operation until October 1981, and no decisive impact on the economy should have been expected overnight. The immediate effects of budget cuts were anticipated in a slowing down of the economy and a concurrent lowering of interest rates and the rate of inflation. These have already occurred.

As to the long-range effects of Reagan's policies, we can only make educated guesses. In theory, Reaganomics should be successful. As tax reductions release billions of dollars for investment and increased consumption of goods, it is not illogical to hope that employment will expand and that tax revenues will increase even with reduced rates of taxation. The decrease in government borrowing will narrow the budget gap and thus affect interest rates favorably. Reaganomics may well work the miracle of economic recovery, with lower unemployment and minimal inflation.

To characterize the plan as a whole as "voodoo economics" and "a Trojan horse" before the first segment of the full program has come into operation is unworthy of a serious journal of opinion.

Alfred T. Vogel
New York, New York

JOHN WHO?

To the editors:

In Alan Baron's analysis of "How to Read An Election" (TNR, December 30, 1981) and his recommended reading list, I find that he has omitted a book dealing specifically with the Anderson effort. I would suggest he and others read *Crazy Dreaming* by Georgs Golubovskis (Talking Seal Press: Flint, Michigan, 1981, $4.95). I was not an Anderson supporter during the 1980 election, but was refreshed by the book's perspective on events that some Americans took too seriously and others did not take seriously enough.

Teri Turner
Ann Arbor, Michigan

TAX BENEFITS

To the editors:

I must correct a rather large error in William Quirk's "The Great Tax Benefit Sale" (TNR, December 30, 1981). Quirk attributes to *Fortune* an estimate that some $15 billion in tax benefits were sold between August 13 and November 13 and cites this "tremendous cost" as "a grievous blow to a deficit-ridden budget." In fact, we made no such claim. Quirk seems to have confused our estimate of the value of the assets leased under the new leasing rules with the tax benefits transferred by such paper transactions. Our estimate was that over *$2 billion* of tax benefits were sold through leases on some $15 billion of capital equipment. That's still quite a hunk of change and appears to be somewhat more than the Treasury Department anticipated. But no one, and certainly not *Fortune*, has suggested the blow to the deficit from such transfers is as "grievous" as Quirk intimates.

Richard Kirkland
Fortune
Washington, D.C.

William Quirk replies:

Most people consider a depreciation deduction to be a tax *benefit*. If Mr. Kirkland wishes to use the term in a more limited sense, he should in the future so advise his readers.

Nothing in Mr. Kirkland's well-written *Fortune* article is symptomatic of the confusion expressed in his letter. For his benefit, let me point out that a tax benefit sale involves three, rather than two, significant figures. First, there is the sales price of the assets supposed to have been transferred which *Fortune* tells us was $15 billion between August 13 and November 13, 1981. Second, there is the purchase price that taxpayers pay for the tax advantages of owning such assets which *Fortune* informs us was $2 billion. Neither of these figures should be confused with the loss to the Treasury, or the actual tax savings to a particular corporate taxpayer, which would depend upon its particular circumstances and presumably would be a figure somewhere between the other two.

LEARNING TO READ

To the editors:

Although I found much to agree with in John Merrow's review ("Home from School," TNR, December 23, 1981), I take issue with both his opinions of reading and those of Rudolf Flesch's in "Why Johnny Still Can't Read." If Johnny is still not reading after 26 years of phonics and/or "look-say" teaching methods (most early reading instruction uses both), it may be that educators and those who write beginning readers are failing to examine a significant body of research that demonstrates the crucial influence played by a child's language and cognitive development in the acquisition of basic reading skills. By limiting the "how best to teach" argument to phonics versus look-say instruction, Flesch is telling us less than we now know about reading. For reading appears to be a far more complex process than simply the learning of "letter sounds" or the rote memorization of words. If, as John Merrow claims, and I assume Flesch would agree, that "once children learn the alphabet code, they become readers," then we would no longer see classroom teachers frustrated by the frequently observed child who has learned to "sound out" all the letters but unfortunately has no comprehension of what has been read.

Richard Rael
Seattle, Washington

PAINTING POLAND

To the editors:

In his article on "Poland: Operation Whitewash" (TNR, January 6 & 13), Abraham Brumberg says that the "reign of terror" in Poland was unleashed "in the best tradition of fascist juntas." Why not "in the best tradition of *communist* juntas"? Brumberg is obviously applying the good old whitewash himself!

R. G. Schipf
Missoula, Montana

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TRB

FROM WASHINGTON

A Game Of Risk

It's nice to see a man who has "followed the gleam." On September 26, 1975, at the Executive Club in Chicago, Ronald Reagan proposed a plan to transfer one-quarter of the activities of the federal government, then estimated at $90 billion, back to the states and localities. The idea brought cheers from the conservative crowd. Reagan charged that Washington was getting too big, too intrusive. It was time, he said, to start turning things back to the states.

That January I followed Reagan into the New Hampshire primary, where he was seeking the Presidential nomination. In frosty scenes resembling those in Thornton Wilder's "Our Town," curious citizens came through the snow on near-zero nights to see the attractive Governor of California trying to wrest the Republican nomination from Gerald Ford. Again and again they asked him about his new federalism—the plan to diminish the central government and those hateful bureaucrats in Washington. He denied that he had ever supported the Barry Goldwater notion, enunciated in 1964, to make Social Security voluntary. No, he said, his idea was simple and practical. New Hampshire was sending $115 million a year to Washington, but getting back only $100 million. Wouldn't it conserve money, he asked, to let localities keep the money and thus "save" $15 million? A couple of reporters asked Reagan at the airport if this $15 million wasn't a bargain, considering all the services it paid for. It included Army, Navy, Air Force, and interstate highways, didn't it? What was the source of his statistic, anyway? He replied disarmingly that he had not understood the matter that way and that if mistaken he would stand corrected. He didn't remember the source of the statistic.

Reagan has cherished the thought of the new federalism all this time, and now as President he has come back to it. In a beautifully delivered State of the Union speech on January 26, he made the most revolutionary proposal for government change in the past fifty years: in a "single bold stroke" Washington would turn over to the states forty federal programs for operation. The states would work out with the cities and towns how to run the agencies. In other parts of his program he ruled out any tax increases. He seemed to embrace "supply-side" economics more emphatically than before. He recommended that Washington take over the full burden of Medicaid, and let the states run the food stamp program, and Aid to Families with Dependent Children. He proposed a widespread transfer of government operations to increase the authority of the states and reduce that of Washington. It sounded calm and reasonable as he proposed it: "to make the government again accountable to the people, to make our system of federalism work again."

In the election of 1980, only 54 percent of the people voted, but President Reagan has never doubted his mandate. Now comes a test of his control: if the food stamp program is turned back to the states, how will the poor fare—let us say, for example, the low-income blacks in Alabama, Mississippi, Louisiana, and the like? Reagan's feeling comes out strongly in the declaration: "Virtually every American who shops in a local supermarket is aware of the daily abuses that take place in the food stamp program—which has grown by 16,000 percent in the last fifteen years." Turn the programs over to the states, he says, and the local people will correct the abuses. Yes, and they may abolish the programs too.

The day Reagan addressed Congress, Federal Reserve Board Chairman Paul Volcker testified before the Joint Economic Committee. It was a characteristic show, in a vast room with 40-foot ceiling, cork floors, paneled walls, and the

continued on page 40

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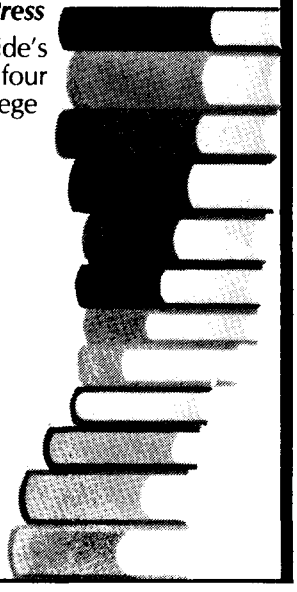

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THE NEW REPUBLIC
FEBRUARY 10, 1982

REAGAN'S ARTICLES OF CONFEDERATION

If stirring speeches and true faith in a political religion were sufficient to improve the state of the union, then Ronald Reagan's America would be a happy land indeed. Again last Tuesday night, as in his inaugural address a year ago, Mr. Reagan told us that we are all heroes, that this country remains the last best hope of man on earth, and that glory awaits us if we will but persevere. "The record is clear," he said, "and I believe history will remember this as an era of American renewal; remember this Administration as an Administration of change, and remember this Congress as a Congress of destiny. . . . Together we have made a New Beginning, but we have only begun." And Ronald Reagan vowed to continue his crusade against the federal government, undeterred even by the unanimous advice of his top advisers to raise taxes and reduce government deficits.

There is a brave and charming quality to Ronald Reagan's dedication to his most profoundly held beliefs, a Quixote quality. He seems truly to believe that his economic program will produce prosperity—beginning late this year—and that by dismantling some federal programs and devolving others onto state and local governments, American democracy can be perfected. In the State of the Union address he said again, "this Administration has not and will not turn its back on America's elderly or America's poor."

However sincere Ronald Reagan may be, the truth is that the state of the union is bad, and for millions of Americans it is getting worse. The unemployment rate, Mr. Reagan neglected to mention, is 8.9 percent, and even some Republican economists predict it will rise to 10 percent. As a result of Mr. Reagan's first-year budget cuts, unemployment benefits formerly available to the jobless have been eliminated, and so have job retraining and placement programs. As a result of Mr. Reagan's deep first-year tax cuts and the failure of supply-side economics to produce the booming economy it promised, the federal government will show deficits in the $100-billion range for the next three years. On the very day of Mr. Reagan's speech to Congress, Federal Reserve Board chairman Paul Volcker served notice that high deficits will produce high interest rates. High interest rates, in turn, will prevent a healthy recovery from the recession. So much for Mr. Reagan's promises of prosperity. "I will not try to balance the budget on the backs of the American taxpayers," Mr. Reagan announced. No, instead his policies will produce monumental deficits, and the burden of those policies will be shouldered by the unemployed.

Democratic critics charged that Mr. Reagan's new federalism package was designed to divert attention from the nation's gloomy economic prospects. It may have been made the centerpiece of his speech for that reason, but dumping federal programs on the states has been part of the Reagan dream at least since 1975. Then he was laughed at for proposing $90 billion in program transfers. Now he is President, and he is back with $50 billion in transfers. As with his overall economic program, Mr. Reagan's reformation of American federalism begins with new afflictions for the poor, in the form of transfer of food stamps and Aid to Families with Dependent Children to the states.

If any programs ever were properly the responsibility of the federal government, the safety nets even Reagan says the U.S. should place under the neediest

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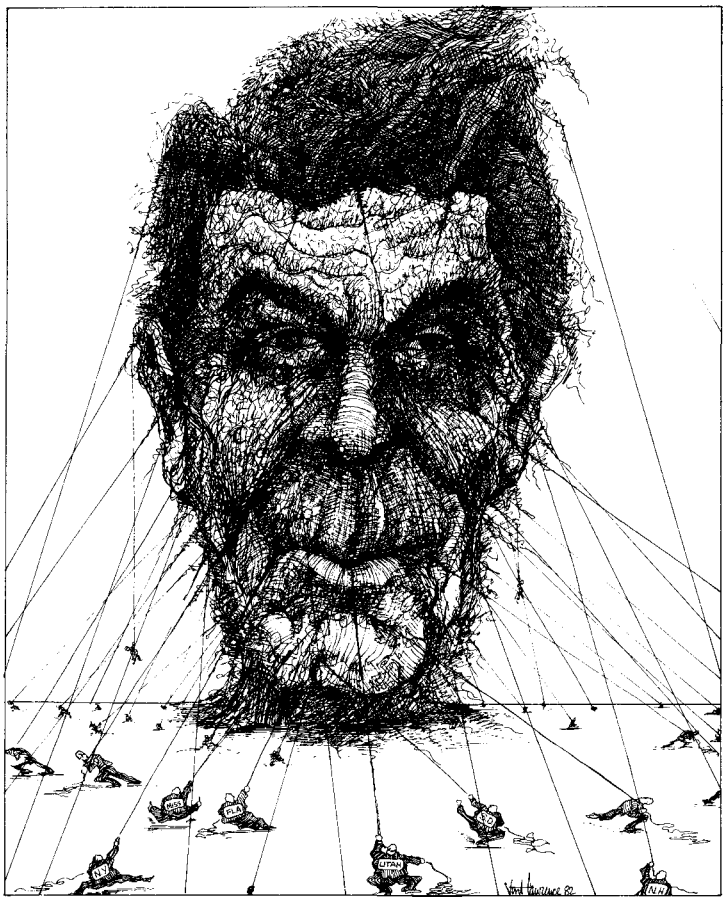
elements of the population, they would have to include food stamps and AFDC. By law, AFDC recipients must be people with family incomes less than the minimum benefit—around $100 a month for a family of three in some areas, rising to a figure still under $500 in areas where the cost of living is high. AFDC generally goes to single-parent families or families in which one parent is disabled. An asset test also applies—AFDC families cannot have property (cars and homes excluded) exceeding $1,000 in value.

AFDC and food stamps were designed as federal programs for the good reason that the states vary widely in their inclination as well as their ability to help the poor. Even with federal matching grants, there is still a great discrepancy in AFDC benefits because states set the standards. Hawaii provides the highest benefits for a family of three: $468. Mississippi provides the lowest: $96. Cost-of-living differences don't account for the gap, nor do differences in the states' ability to pay. One of the lowest benefit levels paid anywhere is in Texas, a rich state which has seen fit not to raise AFDC benefits for nearly a decade, in spite of sky-high inflation rates. Some states, such as Mississippi and Arkansas, are genuinely poor. Under existing AFDC law, the federal government picks up a greater percentage of their welfare costs than in richer states (77 percent in Mississippi, 56 percent in Texas, 50 percent in California). What devolution means is that the poorest states will lose the greatest amount of federal assistance, and of course their poor people will suffer the most.



DRAWING BY VINT LAWRENCE FOR THE NEW REPUBLIC

Administration spokesmen insist that whatever is lost to the states in AFDC and food stamp outlays will be made up by the federal takeover of Medicaid. But the Administration also apparently intends to cut back on benefits in this and other medical programs, so that poor people may again have to look to their state and local governments to care for them when they are sick. The Reagan program, when it's finished, may prove to be a cruel joke on the very bodies of government it is supposed to benefit. But it will be a worse joke on their neediest citizens.

We suspect that behind Mr. Reagan's plan there is some notion that states should be free to conduct their own economic experiments, so that individual citizens can "vote with their feet," leaving areas of limited opportunity and traveling to areas where jobs are available—presumably in the Republican-leaning Sun Belt. But the theory is flawed. Under Mr. Reagan's plan, the poorest and neediest have the greatest incentive to live where welfare benefits are highest, rather than risk destitution in a place where rich people thrive but the poor are ignored.

The Reagan federalism plan has two phases. AFDC and food stamps are to be dumped on the states immediately; then, over an eight-year period, more than forty categorical aid programs will follow. When the dust settles, more than three-quarters of the federal government's present domestic responsibilities will become state or local functions, according to a top Administration official. The federal government will keep only Social Security, medical programs and health insurance (which will be cut), and a few programs of "national significance" such as compensatory education, Head Start, interstate highways, and "regulatory protections with interstate impact." The states and localities will get all local transportation, community development, education, social, health, and nutrition responsibilities, along with the funding sources to fulfill them if the states choose. Some states, in other words, may decide to feed their highway lobbies and starve their schools. Others may build new football stadiums and let their cities crumble. The national government will have a hands-off attitude toward all this, in the name of federalism.

Mr. Reagan rarely quotes Thomas Jefferson, but there seems to be some Jeffersonian ideal at work in his head as he tries to keep government small and close to the people. But this is not the late 18th century, and our problems, industries, and communications are na-

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tional, not local. Pollution wafts freely over state borders. Companies engaged in interstate commerce need fewer state regulations to litigate over, not more. And there is no evidence whatever that burgeoning state bureaucracies are any more responsive to citizen complaints than are federal bureaucracies. State legislatures notoriously are more subject to special interest pressures than is Congress. Mr. Reagan may have Jeffersonianism in his heart, but his kind of federalism may make the fifty states about as able to cope with 21st-century problems as the original thirteen were under the Articles of Confederation.

IF REALITIES DON'T restrain Mr. Reagan from foisting his primitive dreams on the country, then Congress must. We do not recommend, as some Democrats do, that Congress reverse itself on individual tax cuts and indexing in order to reduce government deficits. A recession is no time for massive tax hikes. But Congress ought to be able to do better than Mr. Reagan, who proposes to close tax loopholes here and there, netting $24 billion over two years. More than $16 billion can be recovered by undoing new tax benefits for oil companies. Another $32 billion can be gained by limiting capital gains deductions to productive investments, limiting nonbusiness interest deductions and halving business entertainment allowances.

Congress ought flatly to stop the Administration's effort to hand over to the states responsibility for the nation's poor, which is a favor to neither. There may be categorical aid programs in education and transportation that are most efficiently carried out at the state level, and these can be devolved in consultation among the Administration, Congress, governors, and mayors. But poverty is a national problem, and the responsibility for its alleviation should be too.

Ronald Reagan delivers speeches wonderfully and his rhetoric soars. "Don't let anyone tell you that America's best days are behind her," he says, "that the American spirit has been vanquished. We've seen it triumph too often in our lives to stop believing in it now." But just who is it, anyway, who wants to return to the past? It is Ronald Reagan, who thinks that Calvin Coolidge presided over the most productive and optimistic period in American history. It is Ronald Reagan who persistently refers to America as the *last* best hope of man, "this *last* and greatest bastion of freedom," as though hope and freedom are about to be extinguished in the world. In the final analysis, the future world that Ronald Reagan and his policies will produce is pinched and gloomy. In that world, the poor will be the powerless economic pawns of the wealthy. Giant national and multinational corporations will fatten themselves while their regulators will be confined within state borders. Education and opportunities for a good life will be limited to those whose parents can provide them. That is not what we would call American renewal.

NOTEBOOK

☐ "AT THE BANQUET of life," wrote William Graham Sumner, "there are dinners without appetites at one end of the table and appetites without dinners at the other." So it was in 19th-century America, and so it is today, no worse than it was then, but surely worse than yesterday. We do not yet have soup kitchens to relieve the growing hunger in the country. But we do have cheese lines, many of them; every state in the union will try to get a share of the 30 million pounds of surplus processed cheese to distribute to its poor. Fully half of the states are already doing so with a response from their needy that can remind us of nothing so much as the Depression. We're pleased that the old practice of destroying food when there is a surplus seems to have been retired. But the spectacle of hundreds of thousands of our citizens lining up, as they are now doing in sub-zero weather in many places, to get a five-pound parcel of cheese is vivid testimony, if not to the intentions of the Reagan Administration, then to the indignities and deprivations which it has caused and by which it is apparently unmoved.

☐ THE ENVIRONMENTAL PROTECTION AGENCY is working on proposals that would allow the dumping of low-level radioactive wastes in the ocean. In brazen defiance of the axiom that a lot of a little makes a lot, an EPA official said last week, "We are running out of available space . . . so why not use the ocean? The ocean has a lot of background radioactivity in it anyway." What he neglected to mention was a major contributor to that background radioactivity—tens of thousands of barrels of nuclear waste discarded in the world's oceans over the past 35 years. The U.S. was finally forced to stop the dumping in 1970 when, prompted by protests from Canada and Mexico, EPA studies showed that edible marine fish were being contaminated. In fact, of all the options under serious consideration during the last decade for the dumping of about 4,500 tons of the nation's spent nuclear reactor fuel, the sea has been considered the least attractive. Recent research has not conclusively decided on any one alternative, but so far disposal in salt domes and other geological formations and processes that would solidify the liquid waste into glass seem the safest long-term solutions. But we can't be certain of that if we rush to the seas while skimping on necessary research programs at the EPA and the soon-to-be defunct Department of Energy.

☐ FIFTY YEARS AGO IN THE NEW REPUBLIC: "In the days when militant feminism was 'the thing,' we talked a lot about 'our man-made world,' and blamed on it the political, social, intellectual—even a good many of the physical ills—to which we felt our female selves the unwilling heiresses. Mrs. Beard's book would have

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annoyed us. She is concerned not with 'woman's shackles' but with her share in shaping such civilization as humanity has attained. From the prehistoric squaw—sowing grain, tanning skins, drying fish, devising clothes from fur or vegetable fibers—to the 'strong and capable' woman of Soviet Russia, she shows how in each age women have helped to color and twist a strand in the vast pattern of effort and achievement. Mrs. Beard's quarrel is not with woman's share in the social, economic political, artistic worlds, but with written history. She holds that this 'chief source of knowledge about human affairs has abandoned the unity of life and neglected one-half the human beings that have made up the human world.' " (Review by Beulah Amidon of Mary's Beard's *On Understanding Women*, February 10, 1932.)

Court be nimble, Court be quick.

JUDGMENT TIME FOR THE ERA

BY NATHAN LEWIN

THE EQUAL RIGHTS Amendment case was dropped hurriedly, like a foundling, at the door of the Supreme Court, and the first decision the Court had to make was whether to bring the baby inside. It did so, but in a manner that left observers wondering whether the infant will survive.

On December 23, a federal district judge in Idaho had declared that the time within which ERA could be ratified by the required thirty-eight states expired legally almost two years ago, so that the current effort to win the support of three additional states would be futile. That decision came just as pro-ERA forces were starting a major homestretch drive in thirteen states, and, according to Eleanor Smeal, president of the National Organization for Women, was a grievous blow to the cause of ratification.

Acting with unusual speed, overcoming holiday torpor and winter blizzards, all parties to the lawsuit filed their first sets of papers with the Supreme Court by January 14—just three weeks after the district judge's decision. Most urged the Court to hasten its customary stately pace and be ready to hear argument on the case no later than the beginning of March. The Department of Justice—which represents the General Services Administrator, a public official whose varied responsibilities oblige him to be a defendant in improbable lawsuits—was bombarded with criticism when it initially announced that it would ask the Court not to rush. On further reflection, Acting Solicitor General Lawrence Wallace told the Court in five pages of his pleading that it need not hurry, but concluded by suggesting curiously in one paragraph that the lower court's decision might be wiped away immediately, without even requiring the parties to file additional legal briefs or hearing any oral argument whatever.

The Supreme Court, of course, is not supposed to follow election returns. Its decisions on constitutional issues are supposed to be principled, and unaffected by passing popular whims. But the first question posed for the Court in the ERA case put a reverse twist on the old cliché. To what extent should the Court permit public perceptions and irrevocable decisions by elected legislators to be influenced by a judicial ruling which the Court may ultimately overturn? That is, should the Court recognize that its inaction may affect election returns?

The story begins with Congress's resolution in March 1972 proposing the ERA as the 27th Amendment. That resolution fixed a seven-year period within which the amendment had to be ratified by the constitutionally prescribed three-quarters of the state legislatures. Only thirty-five of the required thirty-eight states had approved the amendment by mid-1978, and it was then clear to ERA supporters that the original March 1979 deadline could not be met. Congress was persuaded in October 1978 to extend the deadline until June 30, 1982. In a symbolic gesture of support, President Carter signed the resulting resolution. His approval was not constitutionally required, since the President plays no role whatever in the amendment process.

The 1978 extension sparked a vigorous constitutional debate. Opponents of the extension insisted that it was illegal to change the rules in the middle of the game. They argued that ERA could be ratified only within the time fixed by the Congress that had initially dispatched it for ratification by the states. They pointed out that twenty-four states, in ratifying ERA, explicitly referred to the seven-year ratification period in their approval resolutions. This meant, they said, that their ratification was conditional on approval

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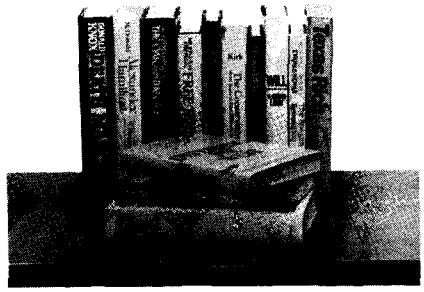

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coming from the other required states within the same period. Supporters of the extension, on the other hand, maintained that if Congress in 1972 had the power to set a time limit, Congress in 1978 could amend or eliminate the time limitation. They relied upon the established rule that a law enacted by one Congress may be amended by any successor Congress.

There was an additional complication. One of the Constitution's ground rules for the amendment process is that a proposed amendment requires a two-thirds vote in both Houses of Congress. The 1972 ERA resolution, which set the March 1979 cutoff date, received that two-thirds vote. But the 1978 extension was approved only by simple majorities in both the House and the Senate. Even if Congress has the power to extend a time limitation it set when it first proposed a constitutional amendment, may it do so by less than a two-thirds vote? Does only the text of the proposed amendment need a two-thirds vote, or must the ground rules Congress prescribes for ratification have the same overwhelming approval?

Another problem came up before the extension was approved. A number of state legislatures, including Nebraska, Tennessee, and Idaho, had approved ERA in March and April 1972, soon after the initial congressional resolution. In later years, however, the legislatures of these states repealed their earlier approvals. This presented a thorny constitutional question. Since the Constitution speaks only of the number of states that must ratify the proposal, and not of rejections, is a state's change of mind constitutionally irrelevant? Does the Constitution count only affirmative votes whenever collected within the period prescribed by Congress? Or may an amendment be approved only if it has the simultaneous support of three-fourths of the states? Under the second approach, a repeal of a ratifying vote would shift a state from the approval to the disapproval column, and so would eradicate its earlier affirmative vote.

THESE THREE QUESTIONS are difficult enough, but they are overshadowed by another constitutional problem which will probably determine the fate of ERA if three more states do approve the amendment before the end of June. The larger question is who decides these issues. We ordinarily assume that the courts—and ultimately the Supreme Court—will resolve all constitutional disputes. But it is an established principle of constitutional law that the last word on some select constitutional questions is uttered by Congress or by the President, and the courts may not interfere. Barry Goldwater and other members of Congress learned this lesson when they tried to invalidate Jimmy Carter's termination of our treaty with Taiwan. Four Justices on the Supreme Court said that constitutional law may spell out how a treaty is to be approved, but when and how to terminate a treaty is a "nonjusticiable political question" left entirely to the Executive Branch.

Does "nonjusticiability" apply to the process of amending the Constitution? A 1939 Supreme Court decision *(Coleman* v. *Miller)* strongly suggests that Congress has total control over the amendment process, and that it is up to Congress alone to declare whether a constitutional amendment has been adopted or not. A child labor amendment had been proposed by two-thirds vote of both Houses in 1924, with no fixed period within which states were to ratify. The ratification process went slowly and, by 1937, the amendment had not been approved. In that year the Kansas legislature, which had initially rejected the amendment, ratified it when the lieutenant governor cast a tie-breaking vote in its favor. The legality of that approval was challenged, and the Supreme Court, in the characteristically convoluted and polysyllabic prose of Chief Justice Charles Evans Hughes, said that "the question of the efficacy of ratification by state legislatures, in the light of previous rejection or attempted withdrawal, should be regarded as a political question pertaining to the political departments, with the ultimate authority in the Congress in the exercise of its control over the promulgation of the adoption of the amendment."

FOUR OF THE Court's then-junior members, Hugo Black, Owen Roberts, Felix Frankfurter, and William Douglas, put it more crisply in a separate opinion in the same case. They said that Article V of the Constitution—which consists of one sentence 143 words long —"grants power over the amending of the Constitution to Congress alone. Undivided control of that process has been given by the Article exclusively and completely to Congress. The process itself is 'political' in its entirety, from submission until an amendment becomes part of the Constitution, and is not subject to judicial guidance, control or interference at any point." The categorical quality of this declaration is not matched by the language of Article V. Not one word in Article V makes Congress a more "exclusive" arbiter of the amendment process than of any other power assigned to Congress by the Constitution. But *Coleman* v. *Miller* has stood for many years as a classic illustration of a subject which is beyond the domain of the judiciary.

Notwithstanding this state of the law, a group of legislators in Idaho who had voted for repeal of the state's ERA ratification, including seven who had supported the ERA in the 1972 vote, filed a federal court lawsuit in 1979 to force the head of the General Services Administration, who is the federal government's official scorekeeper on amendment ratification, to strike Idaho from the roster of states listed as ratifying the proposed 27th Amendment. Their lawsuit raised not only the validity of repeal following ratification, but also the constitutionality of the extension which

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Congress had voted in 1978. Once the suit was filed, it was joined by other parties on both sides, including the National Organization for Women, which came in to assist the General Services Administration in defending the extension and the refusal to legitimize Idaho's shift.

The early stages of the litigation were marred by ugly and misguided efforts of the Justice Department and NOW to disqualify the judge to whom the case had been assigned on the grounds that he then held a "prominent position" in the Mormon church, and that the church has taken a public position against the Equal Rights Amendment. The judge observed that he personally had never expressed any opinion on the ERA, and he twice indignantly denied the motions to disqualify. The then Solicitor General, Wade McCree, did not permit the Justice Department to pursue the matter in higher courts after the first disqualification motion was denied. On entering the case, NOW revived the disqualification issue and took it to an unsuccessful appeal. McCree's explanation of his refusal sounds prophetic in view of the frantic tone of the petitions now filed with the Supreme Court. He said in November 1979 that "by needlessly delaying the resolution of those important [constitutional] questions, such an appeal [on the disqualification issue] would disserve the larger interests at stake" and that "the best interests of the United States lie in a speedy resolution of the two legal questions in the district court." Not until May 1981—one and a half years later—was the disqualification matter finally put to rest so that the judge, Marion J. Callister, could decide the legal questions.

PEACE MONUMENT CAPITOL GROUNDS
PHOTOGRAPH BY SHEPARD SHERBELL FOR THE NEW REPUBLIC

The timing of the lawsuit raised another legal issue which has now come to the fore. Among the various defenses thrown up by the Justice Department was the argument that the case was not "ripe" for decision. Since the ERA has not yet been ratified by thirty-eight states, the validity of Congress's deadline extension is, strictly speaking, of no immediate legal consequence. In fact, if three more states are not won to the side of ratification, the legality of Congress's extension will forever remain a hypothetical question. Consequently, said the Justice Department to Judge Callister, dismiss this case and it may be reinstituted if and when the constitutional issues become real and immediate—that is, after Congress announces that the Equal Rights Amendment has become part of the Constitution by reason of its ratification in years after 1979, and because of the affirmative votes of states like Idaho which first approved and then repealed their ratifications of the amendment. Had the case been dismissed on this "ripeness" ground, none of the constitutional issues would have been decided.

Judge Callister refused to go along with this argument, but it resurfaced as the Justice Department's instant solution to the immediate problems of timing. The judge ruled on December 23 in an opinion covering more than 70 legal-sized pages that courts do have power to examine aspects of the amendment process, that Congress violated the Constitution by extending the ratification period and by doing so with less than a two-thirds vote of both Houses, and that Idaho is entitled to repeal its earlier ratification.

No one doubts that these are important constitutional questions, fit for the Supreme Court. But there is not enough time for the Court to proceed at its usual magisterial pace. Ordinarily the Court finishes hearing arguments in April, and then renders decisions until late June or early July, and a request for Supreme Court review filed in January has no chance of being decided until the following term of Court, which begins in October. The ERA extension expires at the end of June.

In the meantime, Judge Callister's opinion has created vast confusion. Although Callister issued no order stopping any legislative process or directly limiting the ratification drive, Ms. Smeal's affidavit to the Supreme Court reports that a survey turned up "mixed and confused reactions" to Callister's decision, which had "the effect of diverting the discussion" away from the merits of ERA to legal technicalities. Legislatures of eight states which have not yet voted for ratification

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are scheduled to adjourn before the end of April, and NOW requested the Court to move quickly and overrule Judge Callister in time for debate in these states to return to the proposed constitutional amendment itself.

The Justice Department, assuming a dispassionate role, told the Supreme Court that there was no "strong showing of necessity" to justify expedited review of Judge Callister's decision. It noted that confusion from a lower court's decision has seldom spurred the Supreme Court into expediting its processes. It added that the case may become purely hypothetical if three additional states do not ratify the Equal Rights Amendment before June 30. But—in a patent nod to the public outcry that met its primary position—the Justice Department also suggested that the Court "may wish to consider . . . vacating the district court's judgment on grounds of lack of ripeness, without further briefing or oral argument." The Justice Department was saying that the Court could eliminate the confusion caused by Callister's opinion by reversing it abruptly on the ground that the litigation should have waited until after thirty-eight states approved the proposed amendment.

Thankful for small favors, NOW greeted the Justice Department's position with muted applause. But Justice's alternative was the worst, rather than the best, of evils. Since it would have left Judge Callister's views on the various constitutional issues intact, they would have remained brooding presences over the deliberations of the state legislatures. Nor as a strict matter of law is the lack of "ripeness" so obvious that the Court could in good conscience have used it as clear grounds for immediate reversal. Judge Callister pointed in his opinion to several precedents in which the legality of amendment procedures has been challenged in court before the amendment was ratified by the required number of states. In fact, *Coleman* v. *Miller* was precisely such a situation. Nor does it make much sense to put off litigation of such momentous issues until after the full amendment process has been concluded. Do we really want Congress to celebrate the birth of a 27th Amendment whose legitimacy will be the subject of court battles for several years after its baptism? It is surely better, as a matter of public policy, to resolve serious legal questions relating to a constitutional amendment before it is announced as part of our fundamental law.

WHAT REASON, then, for expedition? Precisely the ground which is most vulnerable in Judge Callister's decision. If—as precedent appears to establish—the constitutional amendment process is none of the judiciary's business, there is immediate and irreparable harm so long as a court decision is permitted to cloud that process in any way. Judge Callister's decision impedes the procedure contemplated by Article V of the Constitution because it misleads the legislators who will be voting between now and June into believing that a judge's legal evaluation plays a role in the process. If, in fact, Congress has exclusive authority over amendments, what Judge Callister believed and the standards he applied are totally irrelevant. The judicial intrusion into the process—if unlawful—will have had its effect if the Court does not move quickly to issue its own judgment on that important constitutional question.

On January 25 the Supreme Court wisely rejected the Justice Department's superficially attractive proposal. The Court cleared the way for the case to be decided quickly if the parties' actions match their expressed desires for a speedy resolution—and if the Justice Department cooperates. The Court announced formally that it would hear the appeal, which meant the process for submitting written briefs started immediately. Although the Justices refused to direct that the briefs be filed quicker than its rules prescribe, no rule of court prevents lawyers from filing well in advance of deadlines.

NOW, which is represented by Harvard law professor Laurence Tribe, had told the Court that it could produce its full brief on one week's notice. The anti-ERA forces had asked for ten days in which to reply. This means that if the Solicitor General's office cooperates and meets the same schedule, the entire process of submitting written briefs, which ordinarily takes at least seventy-five days, could be completed in two-and-a-half weeks. The case could then be heard by the Court as early as March, and decided as soon thereafter as the Justices choose.

The Court took another step entirely on its own, and this action has greater significance because the parties did not even ask for it. The last line of the Court's order declares that Judge Callister's judgment "is stayed pending the sending down of the judgment of this

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Court." No "stay" was requested by NOW or by the Justice Department, since Judge Callister had issued no judicial injunction. The Court's "stay" can only be read as a cryptic signal to state legislators that, until the Court decides the issues, they should treat Callister's judgment as a nullity and disregard it in their deliberations. This is the Court's way of responding to NOW's plea that confusion over the decision will irretrievably damage the drive for ERA's ratification.

The large constitutional issue which the Court may confront—whether the judiciary should play a role in the amendment process—is not an easy one. The partisans on both sides of the ERA case might be taking different positions on that question if Congress and an initially enthusiastic collection of states had approved a school prayer amendment, an anti-abortion amendment, or an amendment restricting the jurisdiction of the Supreme Court. Should the validity of procedures leading to such fundamental changes be decided exclusively by an elected body? If the Supreme Court grapples with the question presented in the ERA case, these long-range consequences will have to be evaluated. Some of the Court's best performances have come under intense time pressures. There is no reason to think that the Court will not be up to the job if it decides the ERA case in a hurry.

Poland and the West: I.

A Panglossian Warsaw

By Charles Krauthammer

SHORTLY AFTER the Soviet invasion of Afghanistan President Carter said he had learned more about the Soviets in a week than he had in his previous three years in office. Carter's remark was ridiculed and attributed to his naiveté and general "softness." Ronald Reagan, on the other hand, made a career of toughness and called upon Americans to face the facts about the "enemy." And the facts, as he sees them, are that an unholy alliance of Communists and terrorists has an exclusive franchise on the devil's work on earth. Yet when Reagan was asked in an unguarded moment about the Red Brigade's kidnapping of General James Dozier, he answered with visible anger that those "cowardly bums" don't even have the guts to stand up one on one in a fair fight. It is curious for a man with such a hardheaded, conspiratorial view of the world to become indignant upon learning that terrorists disregard Marquis of Queensberry Rules in pursuit of their political objectives. Reagan appeared genuinely shocked that the punk revolutionaries of this world do not live by a High Noon code of honor, just as Carter was shocked that the Russians violated the cardinal postwar rule that superpowers are not to annex neutral neighbors. Reagan and Carter may have disagreed on whether an international code of conduct derives from frontier justice or Sunday school morality. But both found it hard to believe that for many in this world such a code counts for little or nothing.

At least since Wilson's Presidency, the American penchant for mixing morality with realpolitik has been an enduring source of wonder—and dismay—to the world, particularly to the Europeans. But this surfeit of morality also produces a certain moral blindness, an inability to grasp, even imagine, the nature of radical evil. How prone we are to view evil through liberal democratic eyes is apparent in the casual way we use the language of enormity. "Genocide" was a word used to describe the Atlanta murders. "Fascist" was the word Norman Mailer used to characterize a society unwilling to take chances on literary murderers. Senator Larry Pressler was detained by the Polish police for half an hour during his visit to Warsaw a couple of weeks ago, and came back saying that now he understands how repressive martial law can be. The air traffic controllers claimed for months that they were being treated the way unions are treated in Poland, a claim not heard very much lately.

Having trivialized our vocabulary, it is not surprising that we are unprepared when real enormities like the Polish repression occur. Early Western reports first characterized martial law as an attempt to purge extremists from both the Communist Party and Solidarity. Even as thousands of Solidarity members were being jailed, General Jaruzelski was viewed as a patriot trying to save "socialist renewal" from Soviet tanks. Some editorialists spoke sympathetically of Jaruzelski's "burden." There was a general unwillingness to believe that the Polish authorities fully intended to destroy Solidarity and the social movement it represented.

We reacted with disbelief not only because such repression violated our ideas of what is right but also

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because it violated our ideas of what is possible. Ever since Vietnam, we have come to believe that popular national movements cannot be suppressed by force of arms. They have a certain inevitability to them; even if they are temporarily contained, they ultimately prevail. A widely held corollary is that force itself is somehow obsolete: the day of the superpowers is gone, and with it gunboat and jackboot diplomacy. In a modern age, battles are won and lost in other arenas—economic, ideological, spiritual.

To believe that is to think it impossible that Jaruzelski would ever attempt, let alone succeed at, a brutal counterrevolutionary putsch. Even as the first news of the success of martial law began to filter into Western news reports, it was hard to believe that a mass workers' movement, ten million strong, could be suppressed by force. How could a mere army turn back the clock on a national revolution so deep and wide as Poland's?

THIS BELIEF in the triumph of the will is derived from recent American national experience: the success of the civil rights and antiwar movements on the one hand, and of Vietnamese nationalism on the other. But to universalize that experience is to misread history. Nonviolent mass movements like Martin Luther King's succeed, indeed exist, almost exclusively in tolerant liberal societies. In other societies the "spirit" had best be armed, disciplined, and backed by a superpower (precautions that Hanoi wisely took). But the struggle of an unarmed people against a militarized totalitarian regime is an unequal contest. There is nothing inevitable about the triumph of the spirit in those conditions, as Hungary and Czechoslovakia showed.

Yet so ingrained are our neo-Hegelian habits of thought that some Western intellectuals were loath to abandon them even after Jaruzelski's coup and the evidence that Solidarity had indeed been crushed. A week after the imposition of martial law in Poland, Lewis Lapham wrote that the events in Poland (and the Israeli annexation of the Golan) demonstrated that the time for superpower control of the world is over: "[I]t is the smaller states that make the rules of what used to be called, in a more spacious and optimistic age, 'the game of nations,'" and this is inevitable "no matter how impressive the range and capacity of [U.S. and Soviet] arsenals. . . ." We are witnessing in Poland, he wrote, "the defeat of Orwell's 'Big Brother.'"

That news has yet to reach Warsaw, perhaps because of military censorship. The Polish authorities appear to be operating quite successfully under the archaic notion that force can prevail. Now, it is true that force may prevail only in the short run. But if the short run means a generation or two, after which, as Keynes noted, we are all dead anyway, then that kind of short-run victory seems substantial indeed. And if the short run means, say, twelve years (the biorhythmic cycle of East European explosions) then, since the Soviets seem quite prepared to apply regularly the required dose of force, they are likely to prevail indefinitely.

Another corollary of the Western view that force is obsolete is that if force does become absolutely necessary, then the proper response is to use it with restraint. Hence the theory of escalation, the use of force commensurate with the enemies'. It stems in part from the view that one should inflict on one's opponents only as much suffering as is necessary, and also from the view that force is ultimately counterproductive because it creates resistance in the enemy and dissension at home.

The Soviet bloc has a different doctrine: overwhelming force. The Jaruzelski coup, one of the first cases of total takeover of an advanced industrial society, is a classic example. It involved all the elements of the strategy of overwhelming force. First, a massive show of military might to demoralize the population and make resistance unthinkable. Second, absolute control of all information and interruption of all independent communication to atomize the opposition, whose strength lay, literally, in its solidarity. Third, the immediate seizure of all opposition leaders, to decapitate the movement and render it directionless. Fourth, and possibly the most important, the use of force to induce betrayal. The *New York Times* reported that at one factory the police offered striking workers safe passage out if they allowed them to arrest their leaders. The workers complied out of fear. Like Orwell (in *Nineteen Eighty-Four* Winston Smith is broken when tortured into betraying his lover), the Polish authorities know that betrayal, even more than brute force, has the exquisite capacity to demoralize.

IN THE UNITED STATES we were slow in responding to the Polish coup primarily because we couldn't believe it. We have a habit of failing to imagine the world as it is. At the end of World War II, the U.S. Ambassador to China, Patrick Hurley, reported to the State Department that both the Chinese Communists and the Kuomintang "are striving for democratic principles." Jefferson would have recognized neither as his spiritual descendents, but Hurley, like many Americans since, suffered from the tendency to see everyone as just like us. Barbara Tuchman notes that the Hurley cable "reflects the characteristic American refusal to recognize the existence of fundamental divergence." And the principal divergence we refuse to recognize is between those who share our view of what force can and ought to be used for, and those who don't. Tuchman adds that Hurley's cable is one of the least sophisticated judgments in American diplomatic history. Her words were written in 1972, long before the Polish coup and before any American had gotten around to writing about Jaruzelski, the Polish patriot who had to destroy his country in order to save it.

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Poland and the West: II.

THE EDUCATION OF EUROPE'S LEFT

BY FRANZ-OLIVIER GIESBERT

Paris

WITH AMAZING speed, the military takeover in Poland has smashed the old patterns of the European left. Before, the left was composed of Socialists who were more or less pragmatic, on the one hand, and Communists who were more or less Stalinist, on the other. No longer. The impact of the Warsaw coup has been so great that the old cleavages are suddenly obsolete. And a few old workhorses that had reached retirement age anyway—such as the sacrosanct Soviet October Revolution—have at last been put out to pasture.

Paradoxically, the left's strongest reaction to the Warsaw putsch has come in the only West European country with Communist ministers in its government. Anti-Sovietism is fast becoming one of the pillars of the political culture of French Socialism, which has come a long way in a hurry. Three years ago the Socialist Party's platform was challenging the idea that there was any such thing as "Soviet imperialism" and was claiming that the "axis of security" of France "passes through Moscow." As recently as last year, the party's leaders came up with the ludicrous notion of inviting one Boris Ponomarev, a member of the Soviet Politburo, to a Socialist congress. He was vigorously hissed by the delegates, who then gave a standing ovation to the representative of the Afghan resistance movement.

Things are different now. In the wake of Jaruzelski's coup, the Socialists have organized one demonstration after another to show solidarity with the Polish workers' movement. The French government has spoken out strongly, and it has made a special effort to make nonaligned and third world countries understand the meaning of Poland's tragedy. President François Mitterrand, in his New Year's broadcast to the nation, denounced the Soviet system in Reagan-like terms for "oppressing" the Polish people. In government ministries, Socialist officeholders are wearing buttons emblazoned with the distinctive *Solidarnosc* logo. Mitterrand had taken such a strong line that it came as a profound shock last week when the French concluded the agreement to make large, long-term purchases of natural gas from the Soviet Union. It was a highly Giscardian act, reminiscent of the former President's meeting with Brezhnev (in, of all places, Warsaw) soon after the Soviet invasion of Afghanistan. Mitterrand's aides say that he did what he did on the gas deal primarily to avoid an open break with Chancellor Schmidt, with whom he had met a few days before, and that it signifies no diminution in his hostility to the repression in Poland. Be that as it may, the French left's reaction to Mitterrand's decision on the gas deal shows the depth of its new anti-Soviet passion. The three dailies which usually are in sympathy with the government, *Le Monde*, *Le Matin*, and *Libération*, all attacked the decision sharply and immediately. *Libération*, in its front-page editorial, called the deal the *"pacte franco-soviétique"*—a barbed reference to the *"pacte germano-soviétique"* of 1939. Nor has the reaction been limited to journalists and intellectuals. The country's second largest labor federation, the Confédération Française Démocratique du Travail, which is loosely affiliated with the Socialist Party, has been equally vociferous in its condemnation of the gas deal.

In short, a genuinely anti-Soviet leftism is flowering in Socialist France. It took root some time ago in the soil of the libertarian radical left and is now spreading to include more and more people who until recently were still Communist fellow travelers. The new bible of the French left is *Before the War*, by the philosopher Cornelius Castoriadis, a study of the rise of Soviet power that in some ways resembles Norman Podhoretz's *The Present Danger*. Anti-Americanism, that old standby of the left, is in sharp decline. So is what might be called the intellectual Finlandization of the country, which had begun under Giscard d'Estaing but scarcely exists any longer outside the Communist Party—itself now thoroughly isolated despite its participation in the government. All this only demonstrates how astute the Soviets were to have supported Giscard against Mitterrand in last year's presidential election.

The Communist Party has long held a certain fascination for the French intelligentsia and even for a

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portion of the Socialist leadership. This is no longer true. The Party is in a phase of political decadence and electoral decline. Having fallen to 15 percent of the vote in the last election, it risks further erosion in the next. It did not even dare to present its own candidates in the recent legislative by-elections. Its leader, George Marchais, is the most unpopular major politician in the history of French opinion polling. Its labor federation, the Confédération Générale du Travail, is still the country's biggest, but is in total disarray. Fifteen years ago the CGT could comfortably command half the votes in shop steward elections; lately it has been lucky to get a third. The Socialists, not the Communists, are now the party of the working class in France.

Poland has further diminished the Communists' influence in the factories. French workers inevitably feel more sympathy for the miners of Gdansk than for the generals of Warsaw. But the Communists have stuck to their "Russian line," giving unreserved support to the Jaruzelski junta. Georges Marchais has taken the position that there is no evidence of Soviet intervention in Poland. "We appreciate," he wrote in the warm birthday telegram he sent Brezhnev just after the Warsaw coup, "your commitment to the cause of peace and disarmament." One of Marchais's lieutenants, Pierre Juquin, went so far as to congratulate the Polish generals for upholding "the humanist values that are so priceless to us." As for the Party's daily paper, *L'Humanité*, it has become a surrealistic caricature of itself. A "journalist" reports that he saw "not one tank" in Warsaw. A columnist attacks Solidarity for "threatening workers to make them stop working" at the Swidnica aeronautics plant. An editorialist even justifies the repression of the 1956 Hungarian uprising: thanks to Soviet tanks, that country is a stranger to the kind of economic misery to be found in the West. And so forth.

Throughout the Polish drama, then, the Communist Party has taken a position diametrically opposed to that of the government it supports in Parliament. In public, the four Communist ministers either keep their mouths shut or limit themselves to ritualistic expressions of support for the government. But at the closed Cabinet meeting devoted to Poland, the most obscure of the four, Marcel Rigout, read aloud a thoroughly pro-Brezhnev statement. His Socialist colleagues listened in icy silence.

Because Mitterrand thinks the Communists would be a worse nuisance on the outside, he still intends to reserve a few folding chairs for them at the Cabinet table for as long as they care to stay. The Communist ministers, deprived of real power, spend their time stacking their agencies' ministries—transportation, health, civil service, and personnel training—with Party hacks. Mitterrand and his Prime Minister, Pierre Mauroy, keep a sharp eye on them but do not worry about them overmuch. Each day the Communists stay in the government drains them of a little more of what is left of their radical mystique. And by staying in, they are also depriving themselves of any chance to become a political alternative once public disenchantment with the Socialist experiment sets in. When that happens, the balance will again swing to the right. And the Socialists have made no secret of the fact that they prefer it that way.

The Communists have nothing to gain by staying in the government. But getting out, from their point of view, would be no better. The Party is much too anemic to be enthusiastic about returning to the political wilderness where it spent so many decades. And it is too weak to raise the banner of revolt against the "reformists," Mitterrand and Mauroy. The most Stalinist members of the Politburo think that participation in the government was a mistake. But the Party would have to find the right issue to quit over, and Poland, clearly, isn't it.

France, the mother country of revolution and the rights of man, prides itself on

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a certain worldly cynicism about politics. It's no accident that Richard Nixon is still venerated here. No one in France is scandalized by Mitterrand's tactic of hugging the Communists to death; indeed, when the President smiles at his Communist ministers and says, "Aren't they good boys?" the French are more amused than shocked. Nor is anyone fooled by the Communists' duplicity. Though their ministers play the role of model pupils in Mitterrand's classroom, they are in fact following a thoroughly pro-Soviet line, as the preparatory document for their upcoming Party congress all too clearly shows. Their objective remains, in the words of the historian Philippe Robrieux, "to destabilize the country over time, whipsawing it into Moscow's orbit by imposing a new division of power between the parties of the left." Most Socialist leaders would agree with that analysis, and most of them would also agree that their Communist "allies" are in fact counting on an ultimate Soviet victory—an unpopular thing to count on in a country that is undergoing a kind of spiritual rearmament against Soviet hegemonism.

THAT REARMAMENT, though, is not so pervasive in Europe as a whole. A far from negligible fraction of the left is following a softer path, in the neo-neutralist mode. Last month's meeting of the presidium of the Socialist International dramatized the split between those who propose to resist and those who do not. On the day after the Warsaw coup, Willy Brandt, the president of the SI, came perilously close to welcoming the state of siege as a "Polish solution." The former Chancellor personifies the moral collapse of the German left in the face of the Polish crisis. At the presidium meeting, Hans-Jürgen Wischnewski, Vice President of the German Social Democratic Party, curtly told his Socialist brethren: "We will sign no text that in any way endangers detente." He was not alone in his views. As the leaders of what is being called "Socialo-neutralism," the Germans can count on the support of the Austrians, the Finns (naturally), and the paleolithic progressives of the Greek PASOK party. PASOK's chief, Prime Minister Andreas Papandreou, is addicted to the geostrategic clichés of the 1950s. Two years ago, he took his time about condemning the Soviet invasion of Afghanistan, and even then found extenuating circumstances. His accession to power has done nothing to dampen his sympathetic understanding of Moscow's motives. As for the British Labour Party, it is marginally less susceptible to the Kremlin's anesthetizing propaganda about disarmament and peace. But it is too fractured to speak with a coherent voice. As a result, even the tiny British Communist Party seems to take a stronger line on Poland than Labour did.

It is to Europe's southern flank that the French Socialists now look to build a left-wing front against Soviet expansionism. The Socialist parties of Italy, Portugal, and Spain have all taken unambiguous positions on Poland. Inside the Spanish Socialist Workers Party, the events in Poland have touched off a debate that may eventually result in that Party's taking a friendlier view of Spanish participation in NATO. In general, leaving aside the special cases—the French and Portuguese Communists and PASOK—the southern left has been remarkably lucid about Poland. The Spanish Communists have renewed their attack on their brother party in Moscow. Though the Spanish Party has been losing ground both at the polls and in the unions, it has remained the most "Eurocommunist" party of all. Its leader, Santiago Carrillo, presides over vigorous internal debates in a manner more like that of a social democratic politician than a Stalinist bureaucrat. But now Carrillo says his Party can no longer content itself with "criticizing Moscow's errors of the moment." The latest step, on January 11, was a declaration that the time has come "to go far beyond Eurocommunism." This is no longer fraternal criticism. It is schism.

The Italian Communists also seem willing to take the consequences of their repeated attacks on the Soviets. With their 17-page condemnation of the Polish putsch, they appear to have made a clean break with Moscow once and for all. They are saying that the Soviet model, with its disassociation of democracy and socialism, is no longer acceptable, and that the October Revolution has betrayed its promise. So the Italian Communists have switched camps. They say their hopes now lie with the industrial West and with the third world, not with the East, where it is clear that nothing will change. This time the long-advertised divorce between the Italian Communists and Moscow is likely to stick. The financial ties between them have been steadily breaking down, and the Soviets have counterattacked with a ferocity matched only by their polemics against the Yugoslavs and the Chinese. The Russians cannot count on a Stalinist insurrection inside the PCI aimed at overthrowing its leader, Enrico Berlinguer. Despite the brutality of the rupture with the Soviets, the rumblings of discontent from the rank and file have been faint.

TODAY THE MOST probable foreign ally of Enrico Berlinguer is named François Mitterrand. That is how deep the realignment caused by Poland and the threat of Finlandization has cut. The workers' movements of northern and southern Europe never got along especially well together as it was. The latest crisis can only deepen the gap between them. Faced with a northern left that is socially moderate and tranquilly neutralist, the southern left, more ideological but more innovative as well, is laying the groundwork for a new kind of internationalism. If that happens, then the explosion in Poland will have produced some positive fallout.

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Poland and the West: III.

LIBERALS AGAINST LIBERTY

BY LEON WIESELTIER

THE LAST THING that the strangling of Poland should have produced in the West is controversy. A democratic revolution has been crushed by an army, a nation on its way to independence has been returned to an empire—the evil in the event seems heartbreakingly plain. Yet there are arguments not only about what to do but also about what happened. For that reason the state of war in Poland has become a clarifying event. General Jaruzelski cast his country into darkness, but he shed some light upon the confusion beyond its borders. Individuals and institutions in the West may now be known by their interpretation of the tragedy; it tells.

The political priorities and moral predilections of the banks, for example, have been unmasked. Their lending policies were premised all the while upon the expectation that the people of Poland would not be free. "In terms of straight credit risk," said David Rockefeller, "the presumption is that there is greater continuity of government in certain socialist states than in nonsocialist states." Communism was the collateral. The Germans, too, have been exposed by their reaction to the state of war. Their collective calm about the destruction of Solidarity—which the German Socialists would "deplore" but not "condemn"—is owed to that mixture of fear and prosperity they call detente. Jaruzelski has finally given detente its precise definition. It is the French word for German goodwill toward Russia.

The American reaction was largely indignation—at the sacking of human rights, and at imperialism. The President's Christmas address eloquently and exactly described Poland's torments. Solidarity's goals, he said, were precisely our own: the establishment of social justice and the diminishment of Soviet power. (In the matter of social justice the President might take a lesson from the Poles he admires.) A few days later the President announced that sanctions were to be imposed on Warsaw and Moscow; the sanctions were not severe, but at least they were intellectually honest. They were the expression in policy of a correct analysis of the Polish situation. A different analysis, however, soon was made. It was much more calm. The Op-Ed page of the *New York Times*, where some advanced thinking about international affairs takes place, put it forward. It published articles by two distinguished liberal commentators, George Kennan and Ronald Steel. (Steel's argument appeared in a longer and slightly moistened version in the January 27 issue of this journal.) These articles deserve close attention. They set a new standard for the abandonment of liberal ideals by liberals.

Kennan's is the more shocking in its details.

> What has now occurred is bad—of course. But it could be worse. General Wojciech Jaruzelski has given his assurance that if and when public order is restored, martial law will be removed and democratic reforms instituted. This is, actually, a course almost dictated by circumstances. General Jaruzelski is, after all, a Pole, surrounded by Poles, and a return to the old order is unthinkable. How successful he will be in this undertaking remains to be seen. Something, certainly, will depend upon the extent to which he is able to restrain the more aggressive members of his own army and police and to prevent the sort of brutalities already rumored to have taken place. But perhaps it is best that he should be given a chance to show what he can do.

A bit of exegesis is in order. *What has now occurred is bad—of course.* Of course. *But it could be worse.* Nothing could be worse for a society than the impossibility of democracy. For Poland it was suddenly possible; that is now the society's special sorrow. *General Jaruzelski has given his assurance. . . .* Kennan is willing to accept the word of the man who negotiated with the trade union even as he plotted to smash it. *[T]hat if and when public order is restored.* Public order was not disrupted by Solidarity but by the Polish security apparatus. Kennan is giving credence to the classical rhetoric of the forces of reaction. *General Jaruzelski is, after all, a Pole, surrounded by Poles.* And Brezhnev is a Russian surrounded by Russians. Tyrants are frequently surrounded by their people. Surely Kennan knows more about the history of the relationship between nationalism and democracy. Solidarity was one of the very few happy chapters in that history; it represented a national revolution that was genuinely democratic—a political masterpiece. *And to prevent the sort of brutalities already rumored to have taken place.* The Polish military government has already acknowledged at least 18 deaths. What it has not acknowledged, the many beatings and the internment camps, Kennan calls rumors. See whom he chooses to believe. *He should be given a*

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chance to show what he can do. He already has. As early as the end of World War II, the general was betraying the Poles at the behest of the Russians, as the sorry fate of the Polish Home Army shows.

Kennan's analysis of the repression is simple. He names a single cause—Solidarity. It went too far.

> Had Solidarity been willing to pause as recently as a month or two ago—to rest for a while on its laurels . . . —it would already have had to its credit an historic achievement in the way of national self-liberation. . . . It would have been essential, of course, that Poland's continued membership in the Warsaw pact and its retention of a 'socialist' (whatever that means) form of government not be challenged. But this, of course, was not the road that Solidarity, or at least a part of Solidarity, took.

All this is false. There were extremists in Solidarity (the "touches of anarchism" that Steel detects), but there are extremists in every revolution, and the extremists in this revolution did not control its direction. Solidarity was a rarity among revolutions for this, too: it remained reasoned. The reforms it sought required not a seizure of power but a distribution of it. Totalitarianism was to have been broken down into pluralism—the transformation that is the great political fantasy of the 20th century. And in this transformation the party was not to be denied its place.

ZBIGNIEW BUJAK, the leader of the resistance that now remains of Solidarity, made this explicit in an interview with John Darnton, the *New York Times*'s resourceful reporter in Warsaw. Bujak declared that "this revolution precluded the use of force, and kept the arrangement determining the Polish *raison d'état*—alliances, economics, cooperation, the leading role of the Polish United Workers [Communist] Party. It was supposed to allow the Party and government authorities to reform the system of rule in the country, and find a new formula for the leading role of the party." It was not, then, Solidarity that hastened the end, but the nature of the authority against which it was pitted. It is axiomatic to Communism that the party be all the power there is. The loss of any power is the loss of all power. What doomed Solidarity was the system in which a reform is a revolution. Only in that sense can it be said that Solidarity was extremist. It did not want to overthrow the order, it only wanted to change it; but this is an order that cannot be changed without being overthrown. No more insecure form of power has ever been devised. It is the most easily threatened political system in history. And so all challenges are met by the full force of the state—because every challenge is a challenge to the state, and because the state's force is always full or it is no force at all.

George Kennan is an expert on the Soviet Union, but his reading of the Communist restoration in Poland displays no awareness of this fundamental feature of party rule. He seems equally innocent about the manner in which Jaruzelski's *grand rafle* must have been prepared. As Czeslaw Milosz and others immediately pointed out, action on such a scale cannot be put together in a day. The repression was not a response; it was a plan. The plan must have been in place before, even as early as those months during which Kennan would have had Solidarity rest on its laurels. Solidarity's reckless call for a national referendum was not the cause for the army to intervene. It was the opportunity the army had been waiting for.

THE ISSUE that divided the Western alliance in the first weeks of martial law was the role of the Russians in the repression. There were some in Europe who noted that the Russian army had not invaded, and hung their hopes for a better world upon that technicality. This view did not find much support in the United States. Here the debate was different. There were those who opposed the President's sanctions, but not because they denied that Moscow had intervened. They opposed the sanctions because they believed that Moscow's intervention was justified.

Incredible as it sounds, this was Kennan's and Steel's argument. Steel put it more clearly and more heartlessly. Solidarity, he wrote in the *Times*, had sinned against "the stability of the European state system."

> Had Solidarity achieved its most sweeping demands, broken the Community Party's monopoly of power and taken Poland out of the Warsaw Pact, Soviet control over the rest of Eastern Europe would have been threatened. The other satellites might have followed suit. Freedom, after all, is contagious. The Iron Curtain could have cracked.
>
> Would that not have been a wonderful day? Not necessarily. Virtually every innovative institution in the Western alliance is based on the cold war division of Europe: NATO, the Common Market, the Organization for Economic Cooperation and Development—even the Federal Republic of Germany. . . .
>
> It is an unfortunate fact of political life that the interests of the Western alliance, as well as those of the Soviet Union, demand that the Polish boat not be turned upside down.

Kennan, unlike Steel, did not speak about the interests of the Western alliance; he spoke only about the interests of the Soviet Union. He argued that it was "a drastic demand" to ask that "the Soviet government should take a detached attitude toward events in Poland and permit the situation there to find its own level," because that would occur "to the great detriment of their prestige and possibly of the eternal stability of the Soviet Union itself."

What realism! They must harden themselves, who seek the truth.

Jaruzelski has provided American intellectuals with quite a spectacle. He has transformed Ronald Steel into a spokesman for the cold war. The Russians have held their empire together at the cost of a country's free-

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dom, and suddenly Steel is geopolitical. He is not geopolitical when he writes about Central America. The miseries of its people move him. The interests of the United States do not. He is a globalist about the Russian sphere of influence, and a regionalist about the American sphere of influence. The Sonnenfeldt Doctrine, yes; the Monroe Doctrine, no. Globalism is the view that the absence of civil liberties in a small country may be excused by the strategic considerations of a superpower. Steel has attacked this view as it prevails in the present Administration. He writes: "We should speak up against oppression wherever it occurs and whoever commits it, holding up the same standards to ourselves that we do to others." But he does not stick to the same standard. His analysis of Poland reveals him to be the exact counterpart on the left of the people he most detests on the right—those who are ready with good reasons for the suffering of millions.

Kennan's position on Poland is rather less of a surprise. It is the logical conclusion of his famous doctrine of containment. That doctrine was a death sentence for the people of Eastern Europe. To argue that the Russians may go no further was to argue that they may stay where they are. Kennan was a hawk on this side of the Elbe. He framed a view of the world for which the subjugation of Eastern Europe was a condition of peace. There were no provisions for Poland and its neighbors in the cold war that Kennan contrived. For those countries the war was lost before it began. In recent years Kennan has changed his views about the strategic competition between the United States and the Soviet Union by extending the element of concession that was always present in his concept of containment. He is now a dove on this side of the Elbe.

KENNAN AND Steel are correct, of course, when they maintain that Solidarity was rupturing the postwar arrangement of Europe. They are for that arrangement; that is, they have adopted a point of view according to which there was never a reason to support Solidarity, unless you were sure it would fail. Perhaps they believed that there could be such a thing as democracy in the orbit of the Soviets. It was Solidarity's service to history, however, to have put the problem bluntly: freedom or Yalta. Kennan and Steel plead for Yalta. They should have pleaded for freedom, and not only out of feeling. Yalta was a disgraceful end to a just war. It legitimized conquest, and ratified the Molotov-von Ribbentrop Pact. The nations of Western Europe were given their liberty; but all that was given Eastern Europe was an exchange of totalitarianisms. Hitler's victims were delivered to Stalin. There cannot have been many times in the past when diplomacy produced so much despair. These wretched populations swiftly learned, in Herzen's words, that they had much in their souls still left to lose.

The moral negligence of Yalta was perpetuated at Helsinki, and survives in the views of Kennan and Steel. There is no good reason, however, that it cannot be fought. Steel writes that "the division of Europe . . . reflects the interests of both superpowers," that "President Reagan . . . has no reason to welcome revolt in Central Europe." But nothing is more in the interest of the United States than the erosion of the Soviet empire. It must do what it can to bring this about, exactly as the Soviets are doing what they can to bring about the end of the Western alliance. The Soviets are not as sold on spheres of influence as Kennan and Steel; they have designs on what all the accords say is rightfully ours. Steel is certainly right when he observes that Europe's division "cannot be resolved by force." It was not force, however, that was being deployed against Soviet hegemony in the East, but the popular will of a captive country. Solidarity was the stirring of ten million people, a real revolution from below; it was not a covert operation of the CIA. Force is being used not to resolve Europe's division but to sustain it, as Kennan and Steel believe it should be sustained.

NEITHER KENNAN nor Steel, to be sure, is happy about what happened. Kennan says it is "bad" and Steel says it is "sad." Steel also says it is "unfair" and "outrageous" and "we have every right to denounce it." These men are not friends of dictatorship. They oppose the terror in Poland. But there are things which it is not enough to oppose; you must hate them. That is what is missing from the smart animadversions of these men. Their analysis is without anger; it is riddled with ifs, ands, and buts. As the writers of Poland are subjected to "ideological verification," as its workers are made to swear oaths of loyalty to their taskmasters, as the arrests and the trials go on, Kennan and Steel come to say that there are extenuating strategic circumstances. That is what exercises them.

Kennan and Steel repeat that we are powerless to change the course of events in Poland. That may be, though we can try. We have the money and we have the food. And if we cannot change the fate of the Polish fight for freedom, we can judge it, and we can mourn it. A magnificent movement has been murdered. It is essential that we retain a capacity for moral revulsion, without which the struggles of men are just a lot of political science. The detachment of Kennan and Steel is disturbing, because it suggests that, at least among some intellectuals, American liberalism is losing its identity. It has become the address for a wide array of alibis—detente, neoisolationism, anti-anti-Communism, realpolitik, and a politically paralyzing version of the case for nuclear disarmament. These are all reasons to walk away from Poland. At least two liberals have already begun to walk. The rest, however, must stay. The scattered remnants of Solidarity must be succored; they need moral, intellectual, political, and financial help. Liberals used to give such help naturally. It flowed from their principles. Now it must be argued for. The mighty are falling everywhere.

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How the SBA condones profiteering by the banks.

THE MAVERICK MONEYLENDER

BY HAROLD BERGAN

SEVERAL WEEKS AGO, Richard Richards, the chairman of the Republican National Committee, gained some notoriety when it was disclosed that he had defaulted on about $300,000 of commercial loans sponsored by the Small Business Administration for his Utah health spa. Unnamed Reagan officials grumbled that this embarrassing business failure might indicate that Mr. Richards was not the best possible manager of the illustrious and thriving RNC. But what the Richards case also illustrates—and it is just one example—is that the SBA is far from the best possible manager of loans for small business. In fact, the 29-year-old agency has consistently surfaced as one of the most inept in Washington.

The widespread assumption about the SBA is that its major function is to provide financial assistance to worthy small business ventures that need loans to get them started. As the House and Senate committees with jurisdiction over the agency perform their oversight duties each year, they seemingly cannot decide whether to be prosecutors or defenders of the agency. The mythology surrounding entrepreneurship is so well established that legislators don't like to miss a chance to extol the virtues of small business. But the SBA loan guarantee program has been changing over the years from a program for small businesses to a program for banks. The Richards loan, for instance, was not made by the SBA. It was made by a private bank and guaranteed by the SBA. The tangible product of the program is a 90 percent guarantee against loss *by the bank*. The guarantee is a form of insurance for the bank, though the premium is paid by the borrower in the form of a 1 percent fee to the SBA. If interest rates stay high and the economy continues to slump, more loans will go bad and payments the SBA makes to banks will increase.

When an SBA loan defaults, most of the servicing is handled by local SBA loan officers. Sometimes the SBA arranges for refinancing; other times the loan is simply liquidated. The cruel world of business competition is no more hospitable a place for the small-business person because his or her loan is guaranteed. A small-business owner who has a loan guarantee and who goes broke is no better off than the owner without one.

Loan guarantee programs are promoted by their congressional sponsors as a low-cost way of generating credit for a range of projects from economic development to shipbuilding. They do not show up as expenditures in the usual sense, but are tucked away in the "shadow budget" of government credit programs. This relative obscurity hides the way they actually operate. Last spring the *Wall Street Journal* published an article which gave a glimpse of how an SBA loan guarantee can be converted into profits:

> Banks can earn 40 percent on SBA loans, even if they charge borrowers only 17 percent. High yields on loans guaranteed by the agency attract many banks and some non-bank lenders. Merrill Lynch and ITT, for example, plan to start making such loans later this year. The big yields are possible because as much as 90 percent of the loan can be sold to investors.
>
> Here's how it works: the SBA can guarantee up to 90 percent of the loan amount against default. The agency's guaranteed ceiling: $500,000. Thus, a lender can make a $555,000 small business loan and get the agency to guarantee $500,000 of it.
>
> Suppose the loan is for 10 years at 17 percent annual interest. The guaranteed portion ($500,000) can be sold to an investor who is willing to accept an annual return of 14½ percent. The lender still does the bookkeeping and collects the monthly payments from the borrower, passing on the investor's share and keeping the remaining 2½ points as a 'service fee.' Thus, the lender gets a return of 2½ percentage points on the $55,000 of its own money still tied up in the loan.
>
> *The arithmetic: the level of monthly payment on the loan is $9,645.77. So that by the end of the first year, the lender has collected $11,943 in service fees on the $500,000 guaranteed portion, plus $8,999 in interest on the $55,000 portion. That's a total of $20,942 the first year—a return of 40 percent on the bank's $55,000.*

Omitted from the *Journal*'s account is the fact that recently many SBA loans have been selling for a premium on the secondary market, much as a high-quality bond would. If the *Journal*'s loan sold for a two-point premium, the bank would have collected an additional $10,000, bringing the yield for the first year up to 56 percent. If the borrower kept a 10 percent compensat-

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ing balance in a demand account at the bank and the bank invested that money at 17 percent too, another $8,500 would be collected, bringing the yield up another 15 points or so, to 71 percent in the first year. But the loan would be noted on the public record of the SBA at an unremarkable 17 percent rate.

The fact that banks are able to profiteer through the SBA loan guarantee program is one more example of how "providers" invariably seem to be able to capture program benefits intended for their customers. More important, though, is the way banks are likely to act when this kind of profit is possible. They will guarantee as many loans as they can through the SBA, not because the guarantee is a necessary part of their underwriting, but because it is so profitable. Some banks are guaranteeing the loans they would have made anyway, thereby adding exactly nothing to our net economic activity, while permitting the SBA to improve its loss ratio and inflate its job creation statistics.

ONE BANK which operates this way is Security First National Bank of Sheboygan, Wisconsin. Security First is the SBA guaranteed-loan champion of Wisconsin. As of September, the bank had in its portfolio more than 60 SBA loans totaling well over $15 million. The Farmers Home Administration has been operating a similar commercial loan program for rural areas, and Security First is state champ in that one, too, having received federal guarantees on a princely $26 million in loans. (The FmHA program works much like its SBA counterpart, except it guarantees larger loans and is limited to communities smaller than 50,000.)

A check of the printout listing the SBA loan activity in Wisconsin shows that most banks are only occasional users of the guarantee program. It is likely that these banks are using the guarantee in the way it was originally intended, as an extra margin of safety that permits them to make a loan to a promising but not necessarily credit-worthy business in their community. But Security First, and other banks like it, buy into the guarantee program for the high profits it provides. Security First and the SBA refuse to disclose most of the information necessary to determine the effective yield of the bank's loans, but it is possible to put together a picture of a few loans in which Security First and the SBA teamed up. The SBA handled the risk and the bank handled the profits.

On December 7, 1980, Security First made an $110,000-loan to Country Store Family Foods in Sheboygan. The loan was for a term of ten years at a rate of 20.5 percent. On March 11, 1981, 90 percent of the loan was sold on the secondary market at a rate of 16.38 percent. Using the *Wall Street Journal* formula, the effective annual yield of the loan is close to 56 percent. On the day the loan was made, the prime rate was 19 percent, so the money went out at a rate of prime plus 1.5. In this context, it is important to understand that the notion of the prime rate being "the most favorable rate of interest available on loans from banks" is imaginary. Many other loans made in Wisconsin during the same week and guaranteed by the SBA carried interest rates ranging from 14 to 17 percent.

In fairness to Security First, it should be pointed out that Security First's loan was well within the SBA rules. As far as the SBA is concerned, a ten-year loan at a rate of prime plus 2¾ is acceptable to them. This posture is entirely consistent with the SBA's approach to guaranteed lending, which has been to make the program so attractive to banks that they cannot afford to stay out. The bankers were quick to catch on. A 1980 issue of the *Journal of Commercial Bank Lending* contains the following inspirational message from a loan officer in Evanston, Illinois:

> The capacity to sell 90 percent of an SBA-guaranteed loan at or below prime, coupled with the higher interest rate limits, has elevated SBA loans from the 'dog' to the 'darling' category of our loan portfolio in just a few short months. . . . The $550,000 five-year term loan which we sold this past April was made at a floating rate of prime plus 1½ percent. The guaranteed portion was sold at prime minus ⅛ percent. By adding the 1⅝ percent spread on the sold portion, our yield on the remaining 10 percent will be prime plus 16¼ percent—instant darling!

MOREOVER, the owner of Country Store Foods, Cal Olson, says that the bank asked that he bring his checking business to Security First. He estimates that his average checking account balance at the bank is from $10,000 to $15,000, so the 10 percent of the total loan that Security First actually loaned from their own assets is now back in their bank—interest free. The stupefying explanation offered by our Evanston banker was: "When the value of demand deposits is incorporated, yields on the basis of a net-funds-used model frequently are infinite because net demand deposits are sufficient to cover the remaining 10 percent of an SBA loan, resulting in a no-net-use of bank funds."

Of course, loan guarantees do more than just generate profits. They eliminate risk as well. Security First

COMING:

The Saudis' Secret

Petrodollar Connection.

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has figured out this dimension of the guaranteed loan business, too, as the case of the Kasson Cheese Company in Brillion, Wisconsin, shows. Since 1976 Security First has parlayed the SBA and FmHA business loan programs into four separate guarantees which have increased the bank's profits while minimizing the chances it will suffer a loss.

The first loan was guaranteed by the FmHA in 1977. Though the loan is carried on the FmHA's books as a $300,000-loan at 10 percent, on Security First's books it is a $30,000-loan with an effective annual yield around 24 percent. Part of the loan was used to refinance an existing Security First line of credit that was paying only 9.5 percent. Subsequent loans were made by Security First to Kasson Cheese and guaranteed by both the FmHA and SBA. Then, on April 27, 1980, the FmHA declared its Kasson loans to be in the "problem" category. This did not deter Security First from seeking and receiving yet another SBA guarantee for a loan of $197,000 in March 1981. So for four years, the bank has been piling up profits while the government has been piling up risk. If the cheese company in Brillion goes under, the government will be on the hook for more than $1 million, although the bank's $147,000 in exposure has already been eliminated by the interest it has collected since 1977.

THERE IS ANOTHER interesting wrinkle to Security First's habit of using two different government agencies to guarantee loans to a single borrower. Both the FmHA and the SBA count the cheese company's 67 workers in their "employees" total as they seek to justify their program levels each year. To criticize this double counting may seem like nit-picking, but Security First has lined up no fewer than 12 borrowers at both the SBA and FmHA loan guarantee windows, and the same employees show up in the budget justifications of both agencies.

The sole proof needed to show that any particular borrower is an acceptable risk only with a guarantee is an assertion to that effect from Security First. The SBA has made it clear that it is not going to get into any bureaucratic second-guessing about whether or not these declarations might come a little too easily to the loan officers in Sheboygan. The habits of Security First are entirely consistent with the direction the SBA loan guarantee program has taken in recent years.

Security First is one of eight banks in Wisconsin which is in the SBA's bank certification program. Certified lenders are those with a proven track record in SBA guarantees. The SBA has delegated much of its loan approval authority to these lenders in the name of cutting red tape and processing time. At the same time, the Reagan Administration has cut back on guaranteed authority.

The predictable result is outlined in the report of the House Small Business Committee on the reconciliation bill this year:

> By substantially reducing or by eliminating most of the paperwork and time delays involved in obtaining a guaranteed loan, banks will be encouraged to put virtually all of their meritorious loans into SBA's guaranteed loan program as it will cost them nothing. Considering the reduction in program level, this will further reduce available funding for other small businesses and thus will probably obtain no help at all.

IF THE SBA LOAN guarantee program were to end tomorrow, there would be some long faces at Security First, but it is not likely that small business would suffer a grievous loss. Less than .4 percent of small business will benefit from SBA guarantees in fiscal 1982. As it now operates, the program helps banks make "term" loans to borrowers who might otherwise be financed through a line of credit or a succession of 90-day notes. That advantage to small businesses has to be measured against the fact that the subsidy implicit in the loan guarantee is now a chip that is often being cashed by lenders, not by the entrepreneurial borrowers to whom the SBA and its sponsors pay such endless rhetorical homage. The SBA can provide reams of computer data about loans made and jobs created. But agency officials are stumped when asked to speculate how much of that economic activity might have occurred without the SBA.

In seeking a 20-percent reduction in SBA loan guarantee authority, the Office of Management and Budget has argued that the cutback " . . . will merely eliminate assistance to those firms at the margins, i.e., those that could obtain credit without Federal assistance and those that would probably never be competitive even with Federal assistance." But this analysis presumes that guarantees are allocated according to small business needs, when it is clearly the banks' needs that receive first priority. The selection process is controlled by banks like Security First, which seek guarantees for reasons that are almost wholly unrelated to the goals of the SBA.

Earlier this year, the SBA proposed to reduce the permissible interest charged on its guaranteed loans from the current rate of prime plus 2¾ to the prime rate. This change was urged in the name of holding down inflation, but would have the additional benefits of limiting bank profiteering and cutting the interest cost to small businesses. The response of the banks has been almost unanimous—they are threatening to drastically cut back their participation or pull out of the program altogether. Not surprisingly, the banks most active in the loan guarantee business are complaining the loudest. As a result, the SBA may be getting cold feet about imposing its prime rate interest cap. In his *Atlantic Monthly* interview, David Stockman asserted, "We are interested in curtailing weak claims rather than weak clients." It's hard to imagine a weaker claim than the one the banks are now making at the SBA.

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STANLEY KAUFFMANN ON FILMS

A German Gem

"Dido's Lament" from Purcell's *Dido and Aeneas* is heard several times in Margarethe von Trotta's new film and is doubly apt. The heartbroken queen, about to end her life, sings (in English in this German film): "When I am laid

Sisters, or The Balance of Happiness
(Cinema 5)

in earth . . . remember me," which becomes part of von Trotta's theme; and the style of the music itself—gravely simple, mutedly intense—could be the paradigm that she followed in her directing. *Sisters, or The Balance of Happiness* is a delicate, strange, lovely work, ultimately just out of reach but all the more fascinating for that. And, from von Trotta, it surprised me; nothing that I had seen of her past work prepared me for it.

She has acted and co-written and co-directed with her husband, Volker Schlöndorff. Her acting, of the leading roles in *A Free Woman* and *Coup de Grâce*, has been unexcitingly passable; the Schlöndorff films on which she collaborated—those two and others—all strained their abdominal muscles trying to soar. Von Trotta has since written and directed a film of her own that I haven't seen. *Sisters* is her second independent work (with "additions" to the script by three other women), and it's not just an admirable advance in her career, it's a transfiguration.

First and fundamentally, merely watching it is wonderful. It was photographed by Franz Rath, and the exquisiteness is in the way he sees apartments and offices in modern Hamburg, not in gorgeous scenery. (If you want calendar-art landscapes, see *On Golden Pond* or *Shoot the Moon*.) It is edited with almost ESP acuteness by Annette Dorn. Both Rath and Dorn are obviously in closest ensemble with von Trotta, fulfilling her vision, and the cast continues that sense of ensemble, of unity, of utter belief in the director's intent and complete power to fulfill it. The three leading performers are women. Jutta Lampe, who plays the older of two sisters, was one of the original members of Peter Stein's Schaubühne, along with Bruno Ganz and Edith Clever. She moves through this film like an ivory woman, with emphasis on both words—shining and fallible. Her younger sister is Gudrun Gabriel, who has one of those beautiful faces that are immediate private disclosures. The young Jessica Früh, who plays a friend, is pert and pushy and, as similar young people often do, surprises us with eventual contradictory revelations. The décor by Winifred Henning is modern, nearly but not quite astringent, with a sense of economy on the human side of spareness—which is the general tonality of von Trotta's method throughout. There is not one split second of waste or of haste in this film. The making of it is perfect.

In the opening shot the camera moves forward through a dim forest of tall trees while a girl's voice tells a story about the place. Then we see the girl, about 13, reading this story to her little sister as they lie huddled together in bed. Easily we slip from childhood to the present. The older sister, Maria (played by Lampe), is now executive secretary to a big business chief; Anna (Gabriel) is a university science student. They live together, supported by Maria; their widowed mother lives in a suburb. Maria, who had to abandon her education when their father died, enjoys her competence in her job and is devoted to Anna, eager for her success. Anna confesses that she has lost her interest in the work, wants to quit: Maria says that this would be mad so close to the finish, and urges Anna to take her exams before deciding.

Three other characters figure importantly: a young man—the son of her boss—who loves Maria and with whom she has a brief affair; a typist in the office (Früh) who is looking for fun and advancement; a youngish executive who spends his evenings singing his own songs in a small cabaret and who soon gives up his job for his music. The typist, Miriam, who once had her eye on the boss's son, takes up with the singer, whose songs—written by the actor of the role, Konstantin Wecker—sound like latter-day Brecht-Weill.

When we are alone with Anna, which we often are, we learn the real cause of her disaffection. It has to do with herself, not the work. (It's Anna who plays the Purcell recording.) She is haunted by terrors that seem generated by the pressure of incestuous love for her sister. No overt move is ever made. So far is it from Maria's awareness that at one point she cradles the exhausted Anna against her naked body in, with all that consciousness can discern, nothing other than sisterly compassion. But Anna spends most of the time, when she should be studying, writing in her notebook fragments of thoughts and poems, pasting in pictures of gargoyles and grotesques or Polaroid photos of herself which she takes because she says she can now see only the back of her head in the mirror.

Maria continues in her role as she

FILMS WORTH SEEING

Chariots of Fire. Well written, well directed, exquisitely acted social drama based on the true story of two British Olympic runners, 1924.

My Dinner With André. Seemingly impromptu table-talk of Wallace Shawn, the playwright, and André Gregory, the director, becomes an interesting inquiry into contemporary chances for fulfillment.

Reds. The story of John Reed and Louise Bryant. So stirring, so committed, that its patent flaws are forgivable. Diane Keaton surpasses expectation; Beatty, co-star, co-author, director, and producer, deserves cheers.

Time Bandits. Product of two Monty Python people, a romp through time and space with a child and six dwarfs. Children adore it; so do I and some other adults.

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honestly sees it, working hard, expending affection on her sister, urging her on in her work. The inevitable happens. Maria comes home one evening and finds that Anna has cut her wrists, has bled to death. (Maria tells someone later that she cleaned it all up herself.) It's impossible to overpraise the reticence, the unheard but deafening explosion, of this scene. Some days later, looking through her sister's notebook, Maria finds a poem addressed to her, begging her to beware. Anna isn't through with her. ("When I am laid in earth . . . remember me.")

All this, I emphasize, is dealt with in the physical and atmospheric setting of a modern, moving city. It's not anything like a ghost story, however sophisticated. Anna's presence recurs (as we see) in the apartment; Maria is grieving for her and remembering the poem, that's all. It's not eeriness; it's duration past death.

To reestablish the shape of her former life, Maria invites Miriam to move in with her; encourages her to take English lessons and pays for them. But in time Miriam, who adores Maria in a way but is not tied to her by sisterly or other bonds, packs and leaves to go off with the singer, abandoning the lessons and Maria's plans for her. Left alone, Maria thinks that, from now on, she must be Maria *and* Anna.

My description of the film is risky because it could suggest that Maria is a hard-driving young woman, working out her frustrations first through her sister, then through Miriam: that also she has an unwitting incestuous-lesbian component. Both of these statements are clinical reductions of what is presented as a tangle of relationships and chemistries between people. All relationships involve tangles: if they are to be treated in art, they have to be bodied forth in one form or another so as to be visible. Every color, every agony in *Sisters* rings true, but less with the truth of specificity than of existence itself. That is, von Trotta has not made a film pointedly about the imposition of one person's ideas of success on another person or about the latency of lesbianism between sisters or even about "haunting"; she seems to be saying, "These are the emotional-psychological elements of this complex, but if there hadn't been these elements, there would have been others. Beings pay penalties for being."

PHOTOGRAPH FROM 'SISTERS, OR THE BALANCE OF HAPPINESS' BY CINEMA 5 LTD.

This generality of insight works for and against the film. It gives the picture a finely pitched modernist approach—or perhaps I should say postmodernist: von Trotta is more interested in exploring shadowy domains than in shaping her film to a regularized thematic shape. On the other hand, this quintessentially abstract method does leave the picture just out of reach, as I noted. We know that Maria is most certainly not a villain, witting or unwitting; she is just trying to live her life in order and benevolence as she understands them, making her way through experience as she meets it and creates it; yet our relation to her at the end is more observant than empathic.

But I must take a further step because the film is so splendidly made. The usual questions of narrativity, usually posed rightly, can be suspended here, along with questions of detailed character explication, under the force of the film's beauty as such. At the last, I don't really care that *Sisters* leaves me with some questions: it substantiates Flaubert's view that the subject of subjects is secondary if the making of the art is good enough.

However, I don't assume that von Trotta agrees with my remarks. I know, from her career, that she is working as a woman on material about women and may think she is being much more concrete than I have allowed in treating of experience among women through a woman's view and talent. At any rate what's inarguable is that she brings into focus the conflict of two and then three differing appetites for life—for lives possible to women: Maria's, which is conscientiously making the best of things; Anna's, which is waning because of impossibilities; Miriam's, which is hedonist without being stupid. It is Anna's view, because it is the most harrowing, that overarches the picture and that will, at least in tempering by grief, live on in Maria. By coincidence, I had just read Robert Bly's superb new translations of Rilke when I saw *Sisters*, and Anna made me think of "The Song the Suicide Sings." Some lines about life itself:

> It heals others, it makes me sick.
> Grasp that some can't stand it.
> For at least a thousand years now
> I'll have to fast.

It's these differing appetites—in women, seen by a woman—that *Sisters* puts before us.

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Robert Brustein On Theater

Papp's Winter Line

Twelve Dreams
by James Lapine

Zastrozzi
by George F. Walker

Judging by the last few years, there is something seasonal about the energies of Joseph Papp and the quality of the projects he produces. His fall and winter offerings are often patchy, threadbare, shopworn affairs, but by early spring, the Public Theater spaces are vibrating with Mabou Mines, Richard Foreman, *Pirates of Penzance*, and *A Chorus Line*. It may be that Papp, an urban bear, likes to hibernate in cold weather, but whatever the reason, it is customarily not until March that the New York Shakespeare Festival gets into full gear.

Consistent with the pattern of a slack early season, Papp's fall-winter line this year has been disappointing. The showcase is neglected; even the salesroom looks dowdy. Visiting the Public Theater these days is like navigating a construction site. Undergoing a major restoration, the former Astor Place Library is now a maze of broken walls and disorienting corridors; you have to be taken by the hand to find your theater, much less your seat. The place seems empty, unpopulated, under siege. It used to bustle; now it only mopes. I've seen three new plays at the Public since October, none of them very arresting. David Hwang's *Family Devotions* was a poorly constructed, poorly acted suburban drama, a domestic version of *Flower Drum Song* that would have attracted considerably less attention, I suspect, were its characters not Chinese. And the two subsequent models have each lacked some basic conviction or radiant core that might have transformed their premises into forceful dramas.

I am referring to James Lapine's *Twelve Dreams* and George F. Walker's *Zastrozzi*. For *Twelve Dreams*, Lapine had a really striking idea—to make a case study recorded in a book of Carl Jung the basis for a mystical dream play. Little Emma Hatrick keeps a dream book. The 12 dreams she records seem more like surrealist nightmares: "Once upon a time I became very ill. Suddenly all of these birds came out of my skin and began to cover me completely." "Once upon a time I saw this big round lighted ball. I touched it and vapors came out of it. All of a sudden a man came and killed me." These dreams provide the director with very suggestive images, though not all of them are enacted in the play. Most are violent, and most conclude with the death of the dreamer. What makes these dreams especially moving is their prophetic language, the powerful imagery a child pulls out of its unconscious ("Once upon a time I went to heaven where all of these weird and disgusting dances were being performed. Then I flew to red hell and saw angels being nice"). In the play, the dreaming child's father is a practicing psychoanalyst; he consults with a visiting German psychiatry professor (based on Jung) who notes that all of the dreams foretell "the demise of the dreamer." As predicted, the case ends, as does the play, with the child's illness and death.

Lapine, who serves as his own director, has a strong visual sense and a command of simple, declarative dialogue. He knows how families work, as he demonstrated in the writing of *Table Settings*, and he can keep an action moving, as he showed in his direction of *March of the Falsettoes*. What all three productions also show is that too much knowledge of this sort can lead to slickness. *Twelve Dreams*, Lapine's most ambitious work thus far, has the largest shadow lying between its conception and its execution. Lapine adds two subplots—one involving a tentative love affair between a high-strung young psychiatry student and a dancing teacher, the other concerning a society matron who has developed psychosomatic pains in her head, back, and pelvic region. The psychiatry student has to learn how to come to terms with his own body; the matron must exorcise her demons by confessing that she once aborted herself by pounding her abdomen. Both plots seem to owe less to Jung than to 1950s movies (I kept hearing echoes of Alfred Hitchcock's Freudian period)—a particularly disappointing development after D.M. Thomas, who, in *The White Hotel*, showed us a much more poetic path through conventional psychoanalytical material.

The play occasionally seems to have been directed like a 30-year-old movie as well, particularly in the performances of two good actors who are overwrought here: Stefan Schnabel as the European professor, and Carole Shelley as the neurotic heiress. Lapine is more confident in his direction of James Olson as the psychiatrist-father and Thomas Hulce as the student, and his control of the dream sequences is both sensitive and imaginative. As for Olivia Laurel Mates as the dreaming child and Stacey Glick as her best friend, they give affecting young performances, though both girls occasionally read their lines as if they were winding up to sing "Tomorrow." But then a faintly commercial aroma clings to much of this whole enterprise, vitiating its basically honorable purpose, its fundamentally serious intent.

ZASTROZZI is located in Europe, "probably Italy," during the 1880s. The playwright's uncertainty about his setting suggests the lack of specificity in his play. What he has produced is an abstract existential drama, in the manner of Ghelderode, with occasional glances at Mrozek, Witkiewicz, Sartre, Camus, and a dozen other dramatists in the tradition. One leaves this play impressed less by this Canadian writer's control of dramaturgy than by his familiarity with the dramatic lit syllabus.

Zastrozzi is a self-proclaimed murderer—"the master criminal of all Europe"—who walks around wielding a "sword that has killed two hundred men." His homicidal impulses, he tells us, proceed from a perception of universal evil: "The world is weak—mankind is ugly—the only way to save them from themselves is to destroy them both." The play is plastered with these simulated philosophical posters: "Misery loves chaos, and chaos loves company." "The world is in need of action and the most decisive action is always violent." "We are approaching a new century and with it a new world." "The insulation of evil is the

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only thing that helps you survive."

It is not wise to examine such epigrams too closely but they are studded throughout this tragi-comic confection like stale walnuts on a fake topping: the dialogue seems to have been badly translated from the original Flemish. The plot also seems translated from another language. It follows the adventures of this self-delighted murderer, as he insults, hectors, and rapes most of the other five characters, before sinking either a saber or butcher knife into their intestines (one of these unfortunates has the temerity to expire with the final words of Camus's Caligula on his lips: "I'm still alive!"). More painful than the anthology of existential quotations are the attempts at existential humor: "You're going to rape and murder me?" screams one victim. "Not necessarily in that order," replies her attacker.

What is Andrei Serban doing in a place like this? Trying to pluck some plausible imagery out of this pile of mud. He succeeds partially: the visual effects are intermittently interesting, with their ominous mists and atmosphere of decaying masonry, and he has helped Frances Conroy to give interpretive strength and specific detail to the vacuous role of Zastrozzi's female victim. But the other performers, though mostly accomplished actors (I except one conspicuously amateur male soprano, who plays his role like Ed Wynn doing Hamlet), sludge through this material as if their feet were glued to their shoes and their teeth were rattling around in their gums. Jan Triska, particularly, has a difficult time with the title role, since he is continually required to pronounce his name and the letter z does not seem to exist in his native Czechoslovakian. For me, the main interest of the evening was in watching him try to extricate his peripatetic tongue from his relatively immobile lips and palate.

What of Serban? I think he should demand better projects from Papp. What of Papp? I think he should seek better advice on the choice of new plays. And what of us? I think we should be patient until spring.

Reconsideration: Rudyard Kipling.

The Burden Of Civilization

By Irving Howe

> Life as we find it is far too hard for us; it entails too much pain, too many disappointments, impossible tasks. We cannot do without palliative remedies. We cannot dispense with auxiliary constructions. . . .

Whatever its timeless truth, this passage from *Civilization and Its Discontents* marks Freud as a writer whose vision of things was formed in Europe during the late 19th century, a time when men's claims for dominion and hope were shrinking to a hard skepticism. The world, said Max Weber, was starting to grow cold, starting to seem a place indifferent and engulfing, without transcendent options. Beneath the surface of society, violent forces were in motion. Bourgeois optimism was coming to its end. Imperialism was showing signs of inner weakness—"all our pomp of yesterday/ Is one with Nineveh and Tyre." The idea of historical twilight was finding its way into the work of writers holding almost every opinion.

We know by now that these apprehensions of terrible things to come were justified. Life had indeed become too hard, with too much pain and too many impossible tasks; a predicament for which the 20th century would soon find its inimitable remedies.

These were not, of course, the images and feelings that were first evoked by Kipling's work when he started publishing in the 1880s. Encountering his stories of Indian life, with their high, even garish, coloring, Kipling's early readers delighted in his crude energy, his air of manly assertion, his ration of exotica, his touches of "barbarism" which seemed so bracing to a culture suspecting itself of decadence. It was precisely his "difference" that brought Kipling a quick and enormous popularity, enchanting even such unlikely admirers as Henry James and Oscar Wilde. Later generations, with the presumed advantages of historical distance, have been much more inclined to place Kipling in the moral setting of his time, as a writer who shared with Freud, as with many others, a deepening anxiety over the fate of civilization.

These two quite different men, starting from quite different premises of belief, shared—together with many of their contemporaries—a growing skepticism about the life of Europe, the durability of civilization, the future of the human enterprise. They shared a persuasion that civilization, if it was to survive at all, would require strict modes of discipline. Freud spoke gloomily of "repression" and its costs; Kipling wrote that "for the pain of the soul there is, outside God's Grace, but one drug; and that is a man's craft, learning, or other helpful motions of his mind." And perhaps because they did take so uncompromising a view of the cost in repression that we pay for every advantage of civilization, both men appreciated—Kipling drew his best work out of—those yearnings we all have to cast away the commands of authority and somehow return to the freedom and comeliness of childhood.

Both Freud and Kipling were inclined to see religion primarily as a mode of social discipline, an order and solace for the chafings of self-denial. Kipling did not theorize about this, but his feelings come through in a number of stories. "The Church That Was at Antioch," a late story, is a sophisticated, occasionally biting account of primitive Christianity, with Peter and Paul not saintly presences but decidedly human figures not yet able to contain the enthusiasms of their coarse followers. Civilization rests here largely with the hard, skeptical Romans. In "The Eye of Allah," a charming story, Kipling shows religion in its disciplinary narrowness, holding back the scientific enthusiasms of Roger Bacon, checking the spirit of inquiry in behalf of social peace. Civilization requires here an acceptance of irksome constraints.

Both Freud and Kipling placed a heavy emphasis on the role of aggres-

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sion in the human economy. For Kipling it was a theme so urgent it sometimes escaped his control. And both Freud and Kipling could not suppress a recurrent shudder before the final emptiness of things, a pang of dismay before the helplessness of man and the feebleness of his comforts. "When a man has come to the turnstiles of Night, all the creeds in the world seem to him wonderfully alike and colorless." The words are Kipling's, but they could stand as an epigraph for *Civilization and Its Discontents.*

KIPLING IS A writer with an astonishing variety of voices, some of them livelier and others more shallow than Freud's stoical gravity. Nor is Kipling the sort of writer who envelops one with a large, harmonious vision of life which, if only in the experience of reading, seems sufficient as a reading of experience. He often breaks, or breaks down, into a multiplicity of selves, and one of the problems critics have faced with him has been to align these selves with one another. Still, to notice the anxiety at the center of his work is to enable a singling out of that portion of his work which remains valuable. It is to rescue him a little from his reputation as bullyboy of empire, declaimer of manliness, preening toughie of combat.

For it is the second-rate Kipling who has survived best in common memory, partly because of the pugnacity with which he broadcast his opinions, partly because the literary public has cherished its antipathy to his ideas. That antipathy I largely share. Kipling the tub-thumper for imperialism; Kipling the trumpeter for what Edmund Wilson has called "the Anglo-Spartan code of conduct"; Kipling the celebrant of brutality as an education in manliness; Kipling the authoritarian scoffer at democracy (in this respect far from alone among the writers of his time); Kipling the baiter of "brittle intellectuals/ Who crack beneath a strain"; Kipling the little chap with thick spectacles who loves to cozy up to strong men as if to show the world how readily they accept him—all of these dominate the inferior work and sometimes blemish the superior.

Kipling did not have a supple or reflective mind. He had only a small gift for self-doubt and not much more for contemplativeness. Only occasionally could he show that largeness of spirit we like to associate with the greatest writers. His work keeps dropping to a display of values likely to repel civilized readers.

And yet. . . . He was blessed with a rare abundance of natural talent. As early as 1891 Henry James was calling him a genius and Oscar Wilde slyly modifying that verdict to "a genius who drops his aspirates." Leave aside for the moment the later and more difficult Kipling, sufficiently aspirated, a brilliant if unacknowledged fellow-traveler of literary modernism. It is the early Kipling, the one people think they know, who solicits astonishment, not only in his own day but among such later writers as Brecht and Hemingway, Babel and Borges.

The early Kipling glows with gifts of a primary brightness. He gathers up details of Indian life that are completely fresh to English literature. He knows intuitively how to prod and halt a narrative so that it will pulse with tension—as in the wonderful "The Man Who Would Be King," written in his early twenties. His language is strong but not yet sufficiently modulated, perhaps because at this age literary intelligence cannot keep pace with such exceptional gifts. Anyone opening himself to these early Indian stories—"The Strange Ride of Morrowbie Jukes," "The Story of Mohammed Din," "Lispeth," "Without Benefit of Clergy"—must be struck by the sheer energy of rendering. Kipling's gifts break past an evident crudeness of mind and many falsities of taste. Sometimes—and here criticism must retire baffled—they are gifts that reveal themselves *through* Kipling's crudeness of mind and falsities of taste. For Kipling is one of the great performers of English literature, in this respect at least a successor to Dickens. These brightly colored early stories must always raise in one's mind uneasy questions about the relation between literature as spectacle and literature as vision, questions about how to value works in which the spectacle is far more striking than the vision is steady.

The matter is more complicated still. There is not a single one of Kipling's deplorable values that is not balanced in his work by a countervalue. The blimpish authoritarianism of a story like "The Head of the District" is subtly controverted by the savoring of free personality in "The Miracle of Purun Bhagat." The schoolboy coarseness of *Stalky & Co.* is matched by delicacy of feeling in the treatment of such diverse characters as English soldiers in "Black Jack," ailing old ladies in "The Wish House," and a wide assortment of Indians, both Hindu and Moslem, in *Kim* and the stories. The brutality of some war poems is overshadowed by the compassion of a story like "The Gardener," as well as by a number of poems that speak unaffectedly about the suffering of soldiers. And the sidling up to established power is complicated by solidarity with plebeian victims, as in the stories from the underrated *Soldiers Three* and poems like "The Harp Song of the Dane Woman" and "The Last of the Light Brigade."

Throughout his lifetime Kipling was savaged by liberals who could see only his faults and praised by jingoes who found comfort in his posturings. It has taken time to sort things out, and the job is by no means finished—for there are stories and poems in which the detestable values and undeniable talents interweave so completely that one is at a loss for a secure response. By and large, however, Kipling's career seems to confirm the truth of Yeats's observation that "we make out of the quarrel with others rhetoric, but of the quarrel with ourselves poetry." Kipling's best work—I take it to be *Kim*, parts of *Soldiers Three* and *The Jungle Books*, perhaps a dozen stories and two dozen poems—constitute a quarrel of inner self with outer mind, of precarious sensibility with blunt opinions. His enduring work was written apart from—it was written despite and sometimes against—his asserted beliefs.

A SPECTER HAUNTED Kipling's imagination, the specter of a breakdown of authority: at first the authority of public life, but in his later work that of private life as well. His fear showed itself in, or hid behind, a persistent brooding over the *problem* of authority, what it could legitimately signify, how it might be justified in the world, and through which devices one might learn to bear it as a weight upon one's nerves. This brooding, given Kipling's childhood and adolescent quaverings before adult commands, was frequently inseparable from a readiness to prostrate himself before authority, or to crouch beside it—a desire to be "in" with the powers of this world.

The problem of authority is of course another name for the problem of civilization: what we make of the structure of relationships and institutions, values and traditions, by which we live. Kip-

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ling's idea of civilization was largely a Roman one: discipline, command, and upon need, sacrifice. Whenever Kipling felt reasonably at peace with this idea, he wrote well—though not at his very best. Whenever he felt threatened by the barbarians without and intellectuals within, he wrote badly. Except perhaps in fictions meant simply as entertainments, such as "Brugglesmith" and "Brother Square Toes," Kipling would struggle with the problem of authority throughout his career. In his early stories, where precisely his confused responses as an Anglo-Indian proved to be extremely fruitful, there is often a barely overheard rumination or questioning: By what rationale do we yield power to others? How is it that others hold legitimate power over us? What if the long-silent and lowly were now to rise up in anger? Such questions cast their shadow over stories about Indian life so brilliant on the surface as "The Man Who Would Be King," "The Strange Ride of Morrowbie Jukes," and "The Miracle of Purun Bhagat."

THIS TROUBLING shadow has been felt by a number of Kipling's critics, and by no one more brilliantly—though, still, not with complete justice—than W. H. Auden. In a 1943 review Auden asked himself, "What is it that makes Kipling so extraordinary?" and he answered:

> . . . while virtually every other European writer since the fall of the Roman empire has felt that the dangers threatening civilization came from *inside* that civilization . . . Kipling is obsessed by a sense of danger threatening from *outside*.
>
> Others have been concerned with the corruption of the big city, the *ennui* of the cultured mind; some sought a remedy in a return to Nature, to childhood, to Classical Antiquity. . . . In Kipling there is none of this, no nostalgia for a Golden Age, no belief in Progress. For him civilization (and consciousness) is a little citadel of light surrounded by a great darkness *full of malignant forces and only* maintained through the centuries by everlasting vigilance, will-power and self-sacrifice.

Keen as this surely is, it suggests that Auden knew mostly the young Kipling, since later the idea is strongly present that the dangers threatening civilization also come from within. In any case, Kipling is a writer intensely conscious of how thin is the crust of civilization, how easily it can be broken, and how unrelenting are the pressures, both social and psychic, that would break through.

Authority for Kipling means the proper use of command. It is rendered proper by selflessness, the wish to serve, and the readiness to work. It gains support from the accumulated traditions that form the very soil of civilization:

> Dear-bought and clear, a thousand year,
> Our fathers' title runs.
> Make we likewise their sacrifice,
> Defrauding not our sons.

These lines may not set hearts beating wildly, especially in America today; but they merit respect. They body forth whatever strength Kipling can give to his case for authority, an earned and measured conservatism that has reckoned the costs of civilization and takes them to be worth paying.

It is out of this moderate conservatism—the best Kipling's mind (though not his imagination) could do— that he built his notion of "the Law" in *The Jungle Books*. As declaimed, sometimes with an amusing pedanticism, by Baloo the Bear and Bagheera the Panther, this code does at times approach the simplicities of the Boy Scout Pledge. But when realized in conduct by these stately creatures of the jungle, it lays down guidelines for civilized life enabling social fairness, restraint of appetite, respect for others. "The Law," so to say, is

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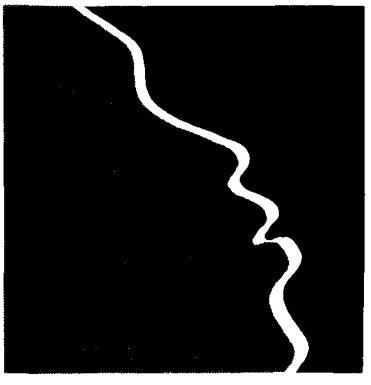

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the oversoul of the fallible laws that human beings enact—this notion comes to us from the measured, the bearable Kipling. His greatest work is something else again.

What I'll call here the "official" Kipling seems always driven by some need to overstress; some urge to demonstrate his loyalty, even submissiveness, before authority; some wish to show, probably to himself most of all, that he is "in solid" with the commanders of the world, a friend of lords and admirals, a pal of all those experts, professionals and Englishmen (three categories that melt into one) to whom authority belongs by right. Over-assertive and clubbily eager, this Kipling can be quite ugly. The question of what authority means slides too readily into a celebration of those who happen to possess it.

Some of Kipling's critics, notably Edmund Wilson, have argued that this aspect of his work forms a compensation for a traumatic childhood and unhappy adolescence, in both of which—as a nearsighted, fragile, and bookish boy—he was made to feel that he belonged to the ill-fated, the hopelessly clumsy. That Kipling suffered a great deal in childhood seems indisputable. When his parents shipped him at the age of six from India to England, there to board at "the House of Desolation" (as he later called it) with a mean-hearted "Auntie," the results were damaging. When he went off later to a second-rate school for the sons of impoverished army officers, he was made into a butt of jokes. But to what extent these early troubles account for his later need to ingratiate himself with figures of authority, becoming thereby a psychic source of his mature opinions, there is no way of determining with certainty.

It's only fair to add that in his fascination with authority Kipling shows no interest whatever in profit or power, those motives that a later, disenchanted age would see as the underlying design of imperialism. He is touchingly innocent of debunking theories. It is the *claims* of imperialism that grip him, the claims of service and construction. And because he takes these claims with much seriousness, he can show—what at times must have been true—that there were numerous English administrators in India who also took seriously the code of service. (Indeed, in Kipling's devotion to the technocrats and soldiers who "get things done," he can be quite savage with the idle rich, "flanneled fools at the wicket and muddied oafs at the goal.") When Kipling describes the readiness of a certain kind of Anglo-Indian to work and sacrifice, often under conditions of hardship, we can respond with at least partial assent. We think, "Well, there's more to it than *that*; but still, that's how it must have felt to them." When Kipling exploits his innocence about the economic grounds and moral wrongs of imperialism, then we can no longer suspend disbelief and find ourselves doing what sophisticated readers have been told not to do: we find ourselves "arguing" with works of fiction.

But how hard, in truth, do we now "argue"? Not quite with the heat, I think, that his work would have aroused several decades ago. Perhaps time does have some healing powers. Perhaps, as W.H. Auden wrote, because it "Worships language and forgives/ Everyone by whom it lives," "Time . . . with this strange excuse/ Pardon[s] Kipling and his views." The gradual fading of the British Empire into history has made those views seem less urgent than they were 40 or 50 years ago. The political issues raised by Kipling's Indian stories, though still troubling, are slowly fading into the historical background, and the way is now clearer for the vibrancy of Kipling's language, the richness of his imaginings. And there is still another way in which history has come to Kipling's rescue. What has replaced imperialism has often been something much worse, the totalitarian blight of fascism or Communism—though it's worth adding that this blight has one of its sources in imperialism. Our sense of social disaster has been "cultivated" in these recent decades to an extent that not even the most stringent of Kipling's contemporary critics could have foreseen; so that the nastiness, a real nastiness, of "The Head of the District" seems almost mild by comparison with what our century has finally shown of mankind's capacities.

KIPLING IS NOT always an apologist for authority; far from it. He often depicts authority—the powers that make laws which must fall short of "the Law"—as harsh, brutal, unseeing, stupid. In one part of himself Kipling is a realist who does not draw back from the ugliness of the world. Authority can damage vulnerable clerks, authority can bully damaged soldiers, authority can torment helpless children. Authority can be blind and gross and cruel. Nobody knows or shows this better than Kipling.

There is still, however, another Kipling whom his writings ask us to imagine—shy, gentle, an enchanting figure, closely in touch with his childhood self, the little Ruddy who grew up speaking Hindustani, language of his "inferiors," until he was six. What stirs Kipling's imagination is a fantasy of the happy suspension, even evasion, of authority. He seems a cousin to a number of 19th-century American writers, notably Twain and the young Melville, who find their creative powers stimulated by visions of a harmonious life, friendly and fraternal, in which no one can, or need, hold power over anyone else.

And this I take to be the great Kipling: a poet of odd sublimities and patches of transcendence, who yields himself to the voices of the helpless. He appears fully in *Kim*, but is also visible

WITNESS

An ordinary evening Wisconsin
seen from a Greyhound bus—mute aisles
of merchandise the sole inhabitants
of the half-darkened Five and Ten,

the tables of the single lit cafe awash
with unarticulated pathos, the surface membrane
of the inadvertently transparent instant
when no one is looking: outside town

the barns, their red gone dark with sundown,
withhold the shudder of a warped terrain—
the castle rocks above, tree-clogged ravines
already submarine with nightfall, flocks

(like dark sheep) of toehold junipers,
the lucent arms of birches: purity
without a mirror, other than a mind bound
elsewhere, to tell it how it looks.

AMY CLAMPITT

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in some of the stories and poems. By the time he reaches his last writings Kipling can no more sustain his visions of bliss than Twain or Melville could sustain theirs; but like Melville, if not Twain, he settles on a stubbled plain of compassion, writing stories like "The Wish House" and "The Gardener," which indicate, if not a resolution of, then a human resignation before, the problems of authority, the quandary of civilization.

That sense of evil which for cultivated people has become a mark of wisdom and source of pride, indeed, the very sun of their sunless world, is not a frequent presence in the pages of *Kim*; and when it does appear it can rarely trouble us with either its violence or grasp. We are inclined these days to exalt the awareness of evil into a kind of appreciation. We find it hard to suppose that a serious writer could turn his back upon the malignity at the heart of things. But *Kim* is unsubdued by the malignity at the heart of things. Whatever evil it does encompass tends to be passed off onto a troop of bumbling Russian spies who muddle along on the northern borders of India, stage-comic Russians about as alarming as Laurel and Hardy. *Kim* is at ease with the world, that unregenerate place which is the only one most of us know, and because at ease, it can allow itself to slide toward another possible world.

Kim evokes and keeps returning to sensations of pleasure, a pleasure regarded as easy, natural, and merited. The pleasure of *Kim* is of a traditional and unproblematic kind, a pleasure in the apprehension of things as they are, in embracing a world as enchanting as it is flawed. Kipling's book accepts the world's body, undeterred by odors, bulges, wrinkles, scars. *Kim*, though far from an innocent book, takes delight in each step of the journey bringing us closer to the absurd: delight in our clamor, our foolishness, our vanity, our senses, and—through the lumbering radiance of the lama who comes from and goes back to the hills of Tibet—delight in an ultimate joy of being which beckons from the other side of sensuous pleasure but which, implies Kipling, all who are not lamas would be advised to seek through pleasure.

Part of the pleasure that *Kim* engages is that of accepting, even venerating, sainthood, without at all proposing to surrender the world, or even worldliness, to saints. *Kim* embraces both worlds, that of the boy and that of the lama, the senses and beyond, recognizing that anyone who would keep a foot, or even a finger, in both of these worlds must have some discipline in adjustment and poise—otherwise, what need would there be for the lama's or any other serious education? But never for a moment does the book propose to smudge the difference between the senses and beyond, or worse still, to contrive some facile synthesis. The "Wheel of Things," to which we are all bound in this world, and the "Search," by which we may penetrate another, have each its claim and dignity. The two speed along in parallel, but what they signify cannot readily be merged. There is earth, there is spirit, both are real. A writer open to the allurements of pleasure is more likely to explore the Many than strain toward the One.

When Kim first meets the lama, an ungainly rhapsodist who makes transcendence seem a familiar option, the two of them quickly find common ground. They share a meal, they bound their territory, they match prospects for the future. To the boy, the old man represents a new experience, a guru such as the mainland does not yield; for the old man, the boy is a guide through the bewilderments of India and a friend ripening into a *chela* or disciple. Kim is possessed by the evidence of his senses, the lama knows only what lies beyond them, and the book will make as its central matter an unfolding of the love between the two, that grace of friendship which in 19th-century literature comes to replace the grace of God.

Kim and the lama move through a world that is like a vast, disorderly bazaar. People are quick to embrace and to anger. They speak suddenly from the heart, as if any traveler may be a friend. They curse with the expertness of centuries. ("Father of all the daughters of shame and husband of ten thousand virtueless ones, thy mother was devoted to a devil, being led thereto by her mother. . . .") Running errands for Mahbub Ali, the free-thinking Afghan horse trader who initiates him into the British secret service, Kim charms a fierce-tongued old Indian lady into helping him and the lama. (The old lady is straight in the line of Chaucer, from one pilgrimage to another.) Kim trades stories with retired soldiers, jests with travelers, even pokes a little tender fun at his lama—for this is Kim's world, a

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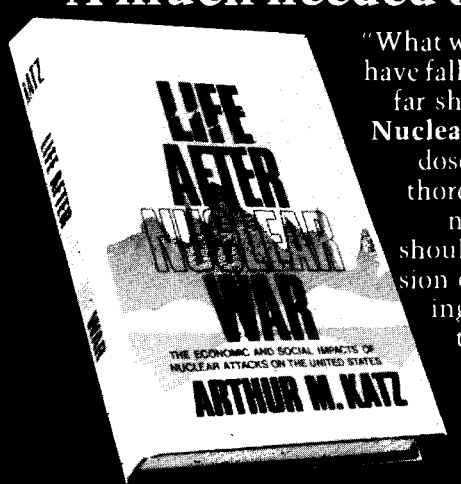

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stage for his multiple roles as urchin, beggar, raconteur, flirt, apprentice spy, and apprentice *chela*, who is always eager, as Kipling shrewdly notes, for "the visible effect of action." Picked up by some British soldiers who propose to educate him ("sivilize," says Huck), Kim tells the lama: "Remember, I can change swiftly." It is the motto of every youth trying to evade the clamp of civilization.

And the world's evil? The poverty, injustice, caste rigidities which must have been so grinding in the India of 80 or 90 years ago? The book has no assured answers. All the wrongs and evils of India are there, steeped in the life of the people, yet these do not keep them from grasping the sensations of their moment, or from experiencing the appetites and ceremonies they rightly take to be their due. What so wonderfully distinguishes Kipling's characters is their capacity for shifting from treble to bass, from pure spirit to gross earth, from "the Search" to "the Game." It is as if their culture actually enables them to hold two ideas in their heads at once. They make life for themselves, and it has its substance.

Though in much of his work Kipling shows a quite sufficient awareness of evil, even at some points an obsessive concern, he seems really to want to persuade us through *Kim*, his most serious book, that in the freshness of a boy's discoveries and the penetration of an old man's vision, evil can become ultimately insignificant, almost as nothing before the unsubdued elation of existence, almost as nothing before the idea of moral beauty. Others, long before Kipling, have said as much, though few have embodied it with the plastic vividness that Kipling has. We may not entirely grasp the import of this vision of ultimate goodness or harmony; it can seem a kind of moral slope, very slippery, very attractive. Yet in reading *Kim* one yields to its vision, just as upon meeting a saint one might for a moment come to accept beatitude. Nor should we try to get round the problem by remarking that *Kim* is a children's book. For it seems intolerable that the best things in life should be supposed available only to children. Old bones have their rights too.

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THE INDIA of the late 19th century is the richest presence in Kipling's work. He approaches India as a stepson, but scrutinizes it from the distance of a stranger. He is the kind of stranger who yields his heart, forever, and then must leave. He makes his India one of the enduring "places" of the literary imagination.

India for Kipling is at once the cradle of remembered happiness and the site of the Other, dark and unknown. Kipling loves the overlapping amiability of traditional Indian life, its talkativeness, its casual friendliness and noise. He loves the sudden shifts from metaphysics to gossip, from timeless reflection to sharp trading. He loves the range of figures, warrior and beggar, saint and picaro. Life in India seems to run more thickly, clotting into habits that can be relished insofar as they are simply assumed. The traditional and the day-to-day, the religious and the commonplace, the temple and the market—all entrance the young Kipling, this stranger who makes himself at home. By comparison the ways of the English seem thin, nervous, lacking in blood. And the mind of this Kipling has not yet turned hard, or his voice shrill; even his prejudices—after all, he is still an Anglo-Indian—have a speckle of charm.

Being a newspaperman in his youth teaches Kipling to write incisively, if sometimes also glibly. It teaches him to find an interest in small doings, intrigues at distant hill stations, the eruptions of modest lives. Toward his fellow Anglo-Indians he is respectful, knowing, critical. They don't really like him, or know what to make of him, since they sense that no matter how often he runs up the flag, his very enterprise carries a touch of the subversive. Toward the people of India he is affectionate, sometimes condescending, at best prayerfully loving. Sketches like "Lispeth," "The Jew of Shushan," and "The Story of Mohammad Din" fill out his picture of India. Historically accurate? A literary refraction? Suffice it to say that no one before or after has done it so well, with such ambivalent kinship.

There are deeper Indian stories, like "Without Benefit of Clergy," wistful in its treatment of a destroyed love between an English official and an Indian girl. Here Kipling writes with a lyrical quaver, honoring the readiness of his lovers to cross the barriers between the two peoples while never calling into question the rightness of the barriers themselves—oddly like some Faulkner stories in *Go Down, Moses*.

Very strange is the story, "The Strange Ride of Morrowbie Jukes," of an English engineer who stumbles into a frightful crater in which there live starved natives, hardly human any more, feeding off crows. Jukes finds a companion in an old Brahmin, Gunga Dass, who mocks the Englishman with lines more telling than Kipling may have known: "We are now a Republic, Mr. Jukes." Angus Wilson, in his fine biography of Kipling, is surely right to say that this expressionist fiction is "one of the most powerful nightmares of the precariousness of a ruling group, in this case of a group haunted by memories of the [Indian] mutiny not yet twenty years old." So too, if in a somewhat different way, is "The Man Who Would Be King" haunted by images of dispossession, the perils awaiting those who are too presumptuous in their grasping of power.

As imaginative renderings of an unfamiliar world, the early Indian stories still keep their vitality and charm. It is in the sense of history that they are weak, at the point where Kipling's fear for the survival of authority gets in his way. Intuitively he foresees the end of empire, but intellectually he will not let himself foresee another India. The step he cannot finally take is the one that E. M. Forster does take in *Passage to India*, when Aziz tells Fielding, "We shall drive every blasted Englishman into the sea, and then . . . you and I shall be friends."

KIPLING'S LATER stories—which means roughly those written after about 1905—have in recent years won an increasing critical reputation; some of these stories are indeed masterpieces, though it is by no means a settled judgment that they are superior to the fiction set in India.

The later stories are, in Henry James's phrase, elaborately "done." They are

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full of complicated observation and ingenious plotting. Kipling's themes now become veiled, diffused, mixed. The theme of authority, for example, is largely shifted from public to private relationships, and as it comes to be treated in more subtle ways, in a voice no longer ringing with assurance, it also acquires unexpected emotional resonance, strange breakthroughs of feeling. Anger, hatred, and revenge manifest themselves in devious, sometimes unpleasant ways. The later Kipling often seems an uncentered writer, without that obsessive relation to subject or place which can be a writer's blessing. He seems also a deracinated figure, despite his enormous prestige in English society and his association with the political leaders of the "radical right." Yet his craft, already formidable, grows still finer; he becomes a master of one of the purest English prose styles—incisive, flexible, a model of what might be called the demotic middle-style. Curiously, he also picks up many of the devices, and fragments of the sensibility, we associate with literary modernism. Though without sympathy for its declared ends, he comes intuitively to share the modernist stress upon doubt, division, anxiety, and depression—in short, upon the problematic. World War I has a shattering impact on Kipling, not only because he loses a son in battle but also because it becomes clear to him, as to many others of his generation, that the world he has known and loved is rapidly disappearing. There are times when he still yields to his smoldering rancors and aggressions, but other times when—in an effort at self-transcendence that seems genuinely admirable—he breaks into a moment of peace, a phrase of forgiveness. A remarkable virtuoso, he emerges at the end as a writer fractured but enlarged.

These later stories are sometimes marred by a tremulous spirituality, a hovering over otherworldly emanations, which Kipling makes more of than he can do with. They are also marred by an excess of "technique," beyond any visible need in the material at hand. It's as if Kipling were struggling to grasp perceptions beyond his usual reach, or his virtuosity were spinning off freely on its own. The much-admired "Mrs. Bathurst," for example, tends to reduce its matter to a puzzle; for while it is easy enough to discern Kipling's intended theme—the destructiveness of overreaching love—few readers are likely to be clear in their minds about the way the story's conclusion realizes this theme.

But a handful of Kipling's late stories rank with the great short fictions of our century, if not quite with those of Joyce and Lawrence, then certainly with those of Hemingway and Flannery O'Connor. Both "The Wish House" and "The Gardener" graze perfection. They show the mature Kipling as master of English plebeian settings and figures, but more important, as a sensibility matured and ripened, one that has worked its way out of the traps of enmity and touched compassion. "Friendly Brook," also a story of English plebeian life, though this time in the countryside, strongly recalls Hardy in its folklike matching of naturalist detail and a touch of the eerie. And the *tour de force* "Dayspring Mishandled" figures crucially in the Kipling canon as evidence of a struggle against hardened judgments, in this instance, a struggle to shed earlier dispositions toward the savoring of revenge.

REVENGE, OR SOME emotion like it, forms the substance of "Mary Postgate," a story dated 1915 (the date signifies) and perhaps the single most brilliant piece of short fiction Kipling ever wrote. It is worth stopping for a moment with this story, since it brings to high focus the problems we repeatedly encounter in reading Kipling.

Wizened, undemanding, lifeless, Mary Postgate works as a "companion" to a wealthy woman in an English village. Whatever stopped-up emotions Mary Postgate has, she pours out in a blind adoration for the son of the house. World War I breaks out; the boy joins the air force and is killed on a trial flight; there follows a raid by German planes over a nearby village, where Mary witnesses the death of a child from a bomb's explosion. Still without speech or visible emotion, she goes about the business of burning the clothes of the beloved son. "As she lit the match that would burn her heart to ashes, she heard a groan or a grunt behind the dense Portugal laurels." It comes from a downed German airman, badly wounded, begging for help. Pistol in hand, Mary refuses—with the wrenched, memorable German words, "*Ich haben der todt Kinder gesehn.*" The German boy dies.

But that is not all. More terrible even than Mary Postgate's refusal to help is the relish with which she attends his death.

> She gave herself up to feel. Her long pleasure was broken by a sound that she had waited for in agony several times in her life. She leaned forward and listened, smiling. There could be no mistake. She closed her eyes and drank it in.

This savage story creates a lasting disturbance in the mind. At the very least, it is an astonishing portrait of a gnarled consciousness reaching assertion through hatred. Mary Postgate's spasm of hatred as "she drank it in" comes to seem, in some deeply perverse way, a breakthrough into sentience, a moment of orgasmic discovery. Where the customary pattern of 19th-century fiction had proposed growth through understanding, Kipling offers here growth through an exertion of brutality.

Now, if we choose to take Kipling as properly distanced from his character, as the narrative voice simply observing Mary Postgate's dreadful climax, there are no serious difficulties and we can simply admire the brilliance of his rep-

ENEMY COLLEAGUES

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by Gabriel Zaid

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resentation. But can we really suppose him properly distanced?

I see no way of denying that Kipling lends a grim, despairing assent (not at all a savoring) to Mary's terrible refusal. I say "grim, despairing" because the perverse pleasure that Mary takes in being present at the German boy's death-agony may be the price that has to be paid for making the decision not to help him. And that decision Kipling seems to have meant as a surrogate for a collective English response to German "barbarism" in the war. It is a terrible reply, of course, and by showing the moral and psychic deformation that accompanies it ("she . . . drank it in") Kipling refuses to make things easy for himself. He acknowledges the price; but it is a price, he implies, that is necessary for the defense of civilization.

LEAVE ASIDE the question whether Kipling was right in his understanding of World War I; that is not crucial to our problem here. Surely he knew the traditional moral argument against revenge, that it corrupts the agent without repairing his loss. Indeed, the dreadful ending is there to show this process of corruption. Yet, if I read the story correctly, Kipling seems to be suggesting that the moral argument against revenge may have to be suspended (not rejected) in order to summon the primitive, uncivilized energies which in extreme circumstances are needed for defending civilization. And for him, a lover of children all his life, the fact that a child can be killed from the air is a clear sign that the old, familiar world, the one in which revenge would be condemned, is gravely threatened and that new, intolerable responses are needed.

For a civilized reader, trained to place a high value on compassion, the story is very painful. Does not one's sense of humanity require a moral repudiation of its underlying idea even as one acknowledges the skill with which Kipling has written? Yes; such a repudiation comes directly, quickly. And yet. . . . We must search our inner hearts, asking whether that is all we feel about the story, asking whether Kipling has not had the courage to open up responses we find it prudent not to acknowledge. May not, in extreme circumstances, the inconceivable become conceivable? And may it not then become satisfying?

History adds a brutal complication. Suppose (only a few details would have to be changed) we were to transpose this story to World War II and see the fallen German flyer with, or even without, an SS armband. Would we then remain quite so eager to condemn Mary Postgate's shameful act?

Some readers may feel that I have abstracted the problem of the story too much from the story itself; but I would reply that precisely the success of Kipling's rendering forces the problem squarely upon us. Others may say that modern civilization has indeed sunk very low for this kind of problem to take on the cogency that it apparently has. To which there is no answer but a weary assent.

I have been making high claims for Kipling in the hope that my reader will find them largely justified. But an honest appraisal must also speak of limits and that means ending with a recognition that in the main Kipling cannot be placed among the very greatest writers of the modern era. He is not in the company of Chekhov and Melville, Joyce and Proust, Eliot and Lawrence.

This is not for lack of skill. Kipling's prose is a superbly vigorous and supple instrument; his imaginings or fables are usually cogent and frequently vivid. Yet some element is too often missing. One does not feel regularly in reading Kipling the presence of an enlarging, liberating sensibility. One does not encounter a world view embracing at once the glories and shames of humanity and reconciling us, insofar as we can be, to the limits of our existence. Nor does one meet a mind which, agree with its conclusions or not, changes deeply and forever our way of looking at the world. Yet, in the portion of his work that lives, there are both peaks of greatness and extended plateaus of high accomplishment. There are intimations of a harmonious life short of the corruptions of maturity, and when Kipling reaches these, his work can rightly be called sublime. And, as with every writer, he must be read and remembered for his best work.

William Hazlitt writes that upon first hearing Coleridge speak he felt as if he had been witness to "Truth and Genius embraced." It isn't an embrace that occurs very often, in literature or anywhere else; now and again it did in Kipling's work, enough so to make him precious in our eyes.

FOLLOWING THE BOUNCING BALL

The Breaks of the Game by David Halberstam

(Knopf, 358 pp., $15)

Why would David Halberstam, author of books on Vietnam and a bestselling tome on the media, write an entire book about the mediocre 1979-80 season of a basketball team called the Portland Trail Blazers? Should admirers of his earlier works feel embarrassed that he has chosen so frivolous a subject? Should basketball fans, on the other hand, fear that he will take all the fun out of their sport by chopping it to death with the machismo style that earned his last book so much ridicule?

The match of author and subject seems odd at first, but there is a certain parallel between Halberstam and star athletes of the modern age. Like Larry Bird or Marvin "Bad News" Barnes, Halberstam has been extravagantly paid, praised, and criticized in recent years. He has been quoted, envied, and expected to perform miracles. Through it all, no doubt, he has struggled to screen out the insanity so that he can develop his craft. For Halberstam, *The Breaks of the Game* is something of a comeback. He has adjusted, gambled, surprised people, in the manner of a champion athlete. He has extended himself to regain his art in this book, which is a moving triumph. He has also enabled us to make sense of his career as a writer.

More than a decade ago, Halberstam came to prominence in a generation of writers who yearned to remold journal-

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ism into a new brand of literature. All of them received enormous offers from publishers, and naturally they attacked the most imposing subjects they could imagine. Neil Sheehan chose war itself. Tom Wolfe went for outer space. Gay Talese dived into sex. Halberstam tackled the press. All of them except Wolfe may have overreached themselves, and Halberstam seemed reduced in *The Powers That Be* to incantations on the word "power."

That book failed for two reasons. Its central argument never went beyond the banal assertion that the largest news organizations are big and therefore bad. Also, the character studies in *The Powers That Be* were sterile treatments of executive celebrities who spent much of their time indulging themselves. As a result, Halberstam's portrait seemed to have been done by Barbara Walters, with interchangeable media titans always demanding to have things done their way.

THESE FAULTS are absent in *The Breaks of the Game*. Halberstam avoids weak arguments by not having any. He doesn't need them. His characters are real because they are so different and because Halberstam manages to find something lovable in all of them, including the jerks. He can do that because he cares about basketball, and he understands why it creates the most bizarre obsessions.

The game, as Halberstam sees it, reaches out to seize people. When a mysterious injury struck the bones of Bill Walton's foot, threatening a championship franchise, the ailment engrossed scores of players and players' wives, along with Lloyds of London, television executives, bankers, mayors, owners, fans, the team psychologist—bringing agony to many, not to mention Walton himself. Walton is the counterculture superstar who once convinced his pious college coach, John Wooden, that he needed to smoke marijuana after each game to help the team, but whose fanaticism about basketball drove him to proclaim himself a "born again capitalist" in hopes of gaining enough "space" from the press to overcome the foot injury. With Walton, the power of the game made grown men risk millions on the behavior of metatarsals.

Halberstam shows how basketball, like love, makes people childlike and causes them to lose their dignity at times—such as whenever Coach Lefty Driesell begs a high school student like Moses Malone to enroll at the University of Maryland. Basketball can turn old white racists and angry blacks into friends; it can also lead a gentle perfectionist like Kermit Washington to maim another player's face with one blow.

The Breaks of the Game will reward readers who have a special interest in sports, but it should appeal to anyone who might appreciate the menagerie of characters who cluster around, say, a circus, or a gold dig. Halberstam, at his best, is a verbal impressionist, with a gift for biographical anecdote. His judgments about various settings, such as the worlds of salary finance or network programming, are sound and yet placed deftly in the background, behind the people. He samples hundreds of them, always looking for another taste of basketball.

The book is organized like a very long article in *Sports Illustrated*, wandering between tidbits, back and forth through time and logic. This structural aimlessness, combined with Halberstam's reputation for redundancy, might lead readers to expect ten or twelve variations on the same story. There is very little repetition, however. In this book, Halberstam joins his characters in the madness basketball creates around the curse of winning and the joy of the pure game. He is in a hurry, rushing from the funny stories to the sad ones, catching the same fever that gripped the coach at the end of one playoff game:

> Ramsay sweated heavily now, anxiety sweat, not just through his shirt, but through his jacket and even his shoes. Earlier in his career he had been self-conscious about it, and about the telltale stains. Once in college, in a desperate attempt to hide the signs of so delicate a nervous system, he had taped sweat socks to his armpits. That had worked for a time, but as the evening wore on the tape had given out, the sweat socks had slipped and had started coming out of his sleeves, flapping in the air as he moved his arms. That ended the sweat socks, and he had decided to go to Pampers instead, which had worked admirably for a time, protecting him as they had protected the finer sensibilities of millions of mothers and fathers. But the Pampers were clumsy, or at least a whole Pamper was, and so he had gotten crafty, and he had cut a Pamper in half, placing a half in each armpit. That had worked well for a time, until during a game in Buffalo the Pampers had started to unravel. Buffalo fans in those days were accustomed to seeing almost anything, but that night they were treated to the sight of the Buffalo Braves coach shedding damp Pamper pellets all over the floor. That was his last night in Pampers. . . . Now in this game he was soaked.

Halberstam's publisher is pushing this book as a continuation of his previous work on "power and money in American society." Fortunately, this is mere hype. His subject is basketball, not power and money. Appropriately, he writes about a team that is falling apart. This book is not about power trips or parlor games. It is better than his others precisely because it is different; he shows more heart, and his talent stands out in sharp relief.

TAYLOR BRANCH

Taylor Branch is the author (with Eugene M. Propper) of the forthcoming *Labyrinth* (Viking).

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INDEPENDENT HEARTS AND MINDS

The First American Constitutions: Republican Ideology and the Making of the State Constitutions in the Revolutionary Era
by Willi Paul Adams
translated by Rita and Robert Kimber

(University of North Carolina Press, 351 pp., $23.50)

John Taylor of Caroline: Pastoral Republican
by Robert E. Shalhope

(University of South Carolina Press, 314 pp., $19.50)

How shall we characterize the more principled protests of American colonists during the decades before 1776? What set of ideas continued to dignify the Founding Fathers? What ideology differentiated the young nation from the régimes of the Old World? Republicanism—small-r republicanism—is the shorthand answer. Elaborations of that answer have occupied the attention of many a scholar in recent years. "Republicanism" figures nowadays in the index, and quite often the title, of almost every book dealing with the formation of the United States.

One line of argument (represented, for instance, by J. G. A. Pocock, John Murrin, and Lance Banning) traces the transit of republican assumptions from the Italian city-states to the opposition or "Country" (as distinct from "Court") rhetoric of England, and thence across the Atlantic to the colonies. Bernard Bailyn and Gordon Wood have sought to explain how the libertarian Whiggery developed in the mother country was blended with the *de facto* republicanism of colonial society. In these various interpretations, the notion of "virtue" as the indispensable feature of a republican polity is emphasized. So is the old belief that corruption had ruined the hitherto admirable mixed constitution of England. Monarchy and aristocracy were inherently dangerous; and the element of virtue present in the ordinary English citizenry had been tainted by the corruption present in the rest of the system. According to Michael Kammen, Peter Shaw, and others, the symbolic "killing of the king" was among the rites of passage through which individual and national independence was expressed.

Some scholars theorize about the concept of "republican religion." (What did William James mean when he said the world was "more like a federal republic than like an empire or a kingdom"?) Some, including Linda Kerber and Mary Beth Norton, are interested in attempts by women of the Revolutionary era to claim freedom in addition to virtue as endowments of their sex. Historians have looked into the view (popularized by Montesquieu) that republics could only survive if they were small, and into the refutation of this maxim by Hamilton and Madison. A bold article by Robert Kelley, taking off from the thesis "that republicanism was the distinctive political consciousness of the entire Revolutionary generation," suggests that differing regional modes evolved. The republicanism of New England, he contends, was "pious and moralistic," while white Southerners were "primarily libertarian, not moralistic, republicans." In between came two Middle State groupings, each determined by ethnic and religious ties: the Scotch-Irish "egalitarian" republicans, and the predominantly English "nationalist republicans."

There thus seems no end of possible interpretative uses for the notion of American republicanism—such as the long-term significance of the guarantee clause in the Constitution, or the reasons why "democracy" gradually replaced "republic" as the common descriptive label for the American polity. The value of such inquiries, though, depends on the most precise possible understanding of words that may never have been precisely definable. For the historian this involves canniness, a sense of contexts, and perhaps some healthy skepticism. Did Tom Paine positively opt for republicanism when he wrote *Common Sense*, or was he just hostile to the hereditary apparatus of British monarchy and aristocracy? Was the establishment of republicanism—federal, representative, anti-monopolistic—something of an accident, the complex result of a simple repudiation of British sovereignty? Did American republicanism become a unifying and even ennobling ideology; or did its utility (at least up to the Civil War) derive in large part from a vagueness of meaning that allowed it to encompass both nationalism and localism, both democratic rhetoric and chattel slavery?

WILLI PAUL ADAMS, a professor at Berlin's Free University, handles such topics with clarity and concision—and with the benefit of an excellent translation. He is erudite, modest, and shrewd. Wary of large hypotheses, he accepts that

> the most significant accomplishment of the American Revolution, apart from the military achievement of independence, was the successful establishment of republican, federal, and constitutional government in a territory so extensive . . . that conventional wisdom considered only monarchical government suitable for such an empire.

However, he is not satisfied with explanations based upon the supposed bourgeois oneness of American thought. Dr. Adams treats the Revolution, on the intellectual plane, as a series of modifications and innovations, thrashed out (sometimes almost literally) in Congress but still more importantly at the state level. He therefore devotes three chapters to the state constitutions of 1776-1780, with the conclusion that these, rather than some new departure or counterrevolution, guided the Philadelphia framers in 1787. In his view the Presidential office resembled state governorships instead of the British crown; and the whole pattern of mixed government represented state experience rather than the concepts or mechanisms of Westminster.

This approach recognizes that ideas often have a long and influential history, yet may be so modified as to be ultimately transformed. It takes for granted that ideas may be powerful and may possess a fairly impelling logic of

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American Patriots and the Rituals of Revolution by Peter Shaw

(Harvard University Press, 279 pp., $17.50)

The American Revolution, wrote John Adams some decades after the fact, was made "in the minds and hearts of the people." Historians have long cherished that remark, and have quoted it endlessly. Moreover, in recent years they have sought to develop its implications in their scholarship. Thus numerous valuable studies within the past two decades have emphasized the importance of ideas and "ideology" for the Revolution. Yet, in effect, these studies have seized on one term in the Adams formula, while neglecting—or downplaying—the other. They tell us far more about "minds" than "hearts," about thoughts than feelings, than unconscious, innerlife response. That revolutions must evoke such response seems, on its face, indubitable. Thus, for all the brilliance of the recent scholarship, important work remains to be done.

Peter Shaw's new book *American Patriots and the Rituals of Revolution* begins that work most effectively, and beckons other scholars to follow. Noting that even idealist historians have sensed "something that does not quite meet the eye" in the events of the revolutionary era, Shaw digs beneath the visible surface of those events in search of their "deeper" significance. His materials are familiar enough—political writings and accounts of crowd behavior—but his method is necessarily "eclectic" and unusual. He borrows freely from several different disciplines—anthropology, literary criticism, psychoanalytic psychology. His quarry is nothing less than the "powerful unconscious forces" which helped to initiate and energize the movement for independence.

Shaw's argument can be summarized here only at the risk of great oversimplification. But it begins by taking the Revolution as a "familial drama," in which numerous colonial "children" rise up against their "nonnurturant parent" across the sea. This image—a commonplace in the rhetoric of the period—proves in Shaw's hands to be a key that opens the meaning of many otherwise intractable details.

Thus, a quartet of patriot writers—James Otis, John Adams, Joseph Hawley, and Josiah Quincy—displayed a characteristic *crise de conscience* while leading the movement of colonial protest. Each one paid "psychic costs," expressed in illness ("imagined or real, . . . mental and physical"); each swerved unaccountably at one or another point along the political course. Shaw's close attention to the private and published writings of these men discovers an inner thread of conflict "between obedience and authority." In all four instances the thread winds back to experiences with their own families, and especially with their fathers. Indeed, all four appear to have projected such experiences onto the hated figure of Massachusetts Governor Thomas Hutchinson—who served them, as well, as a "scapegoat" for the English king.

To this point Shaw's approach is largely biographical. The second part of his analysis is a venture in group psychology. The expressive behavior of patriot crowds is connected to colonial holidays, to still earlier holiday traditions from England, and even to "festivals" and "rites of passage" in pre-Christian times. The aim is to show how these crowds—exuberant yet angry, violent yet restrained, implicitly subversive yet formally "loyal"—anticipated and rehearsed revolution years before the actual event. "As long as the . . . colonials could not admit the sentiment of revolution, especially to themselves, they needed to express it indirectly and symbolically." And so they did, at intervals, beginning with the Stamp Act riots of 1765 until the Declaration itself 11 years later.

The discussion proceeds as a "reading of ritual language," and the language itself is uncommonly interesting: liberty trees, effigy processions, blackface, tar and feathers—and, further back, traditions of *charivari*, mummers' plays, Robin Hood, May Day, harvest festivals. But interest is one thing, persuasion another; and there are—inevitably—soft spots in all this. For some readers the "ritual language" will seem too thin, too mottled. The links *between* the characters need more attention, if the chain is to seem finally solid.

There are, moreover, problems of linkage in another sense. The biographical experience of patriot leaders must somehow be joined to the activity of the crowds. Shaw sees the need, but does not fully respond to it. The leaders, he asserts early on, "underwent a revolutionary experience that had analogies with the crowd's anticipatory rituals. And each shared in crucial ways the others' experience of the Revolution." The most striking instance of such "analogy" appears in the resort to family metaphors: "Whether in their political writings or in the symbolism of crowds . . . [the revolutionaries] made themselves into children." Still, analogy does not equal (nor does it prove) "shared experience." For that, other evidence is required—evidence on individual crowd-members. One must, in short, contrive to scrutinize *them* (at least some of them) according to the same principles applied to their leaders.

In his concluding chapter Shaw introduces a virtual *deus ex machina*, which throws all such considerations under a shadow. "The rituals of independence," he writes, "rode on a wave of growing eighteenth-century personal autonomy." But the nature, indeed the very existence, of that wave is a question—and one that begs further, troubling questions. Has the whole inquiry, then, been misdirected? Should the growth of "personal autonomy" have formed the central theme?

To make the argument "ride" thus seems unfortunate and unnecessary; it moves quite well, for the most part, on its own steam. That questions (even doubts) remain is unavoidable in a project of such great sweep and such novel definition. That others may now take up the search for answers is to be expected—and welcomed.

JOHN DEMOS

John Demos is professor of history at Brandeis University and author of *Little Commonwealth: Family Life in Plymouth Colony* (Oxford University Press).

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their own. But it calls for care in assessing what ideas meant at particular places and moments. In this respect, for example, Dr. Adams maintains that "democratic" and "republican," as applied to government, signified practically the same thing to the Founding Fathers, even if neoconservatives have tended subsequently to insist that true Americanism is republican (i.e., representative), as against the sinister heresy of democracy (i.e., anarchy? socialism?). Again, Adams distinguishes helpfully between abstract "principles" of government, and actual "forms"—a distinction that mattered in the 1770s. His book's brevity obliges him to go at a fast clip through the discussion of cognate ideas: sovereignty, liberty, equality, federalism. Yet the pace and poise of *The First American Constitutions* are exhilarating.

I wish the same could be said of Robert Shalhope, who is already known for some articles on republicanism during and after the American Revolution. His new book follows the same path, and promises well. John Taylor of Caroline is generally regarded as a crucial figure in the working out of states' rights Southern republicanism, but he is nevertheless obscure and out of focus, badly served by previous biographers. Professor Shalhope offers a kind of intellectual biography. However, the details of Taylor's life—wartime military service, a law practice in Virginia, marriage to an heiress that enabled him to drop law in favor of treatises on agriculture and political theory—fail to coalesce into a convincing human likeness. This may not all be Shalhope's fault. Nor of course is he to blame for the repetitiveness and turgidity of Taylor's writing, as in the *Inquiry into the Principles and Policy of the Government of the United States.* The *Inquiry*, finally published in 1814, started as a reply to John Adams's *Defence of the Constitutions* (1787), but as it rolled along incorporated other Taylorian complaints, including disillusionment with the Presidency of his onetime hero Thomas Jefferson. Taylor's restatement of old ideas, his obsession with agriculture as a static, harmonious, noncommercial ideal and his corresponding detestation of America's "paper aristocracy," his reluctance to concede any prime function to the national government, his special pleading on behalf of the slaveholding South: these give his writing a curiously jumbled, undatable yet "dated" quality. His *Inquiry* was soon out of print, and remained so throughout the 19th century. One is tempted to visualize Taylor's work as, say, the terminal heap of a slow minor avalanche, moving unperceived down a wilderness slope.

BUT TAYLOR IS not to be dismissed so easily, though Shalhope does not do much to persuade us otherwise. Too many pages contain plodding paraphrase. Unlike Adams, Shalhope is apt to use words loosely. Taylor is inappositely referred to as a "pastoral" republican, though he was principally an arable farmer and took Arator—ploughman—as a pen name. We hear of Taylor's "agrarianism," though he himself much more often spoke merely of "agriculture"—not a trivial objection, since in the old context "agrarianism" signified the more equitable redistribution of land ownership, which was certainly not on John Taylor's agenda. There are some rather good features of the Shalhope method: full citation, an appendix on Taylor's publications, and a worthy stab at justifying intellectual biography. But in the main, the reader in search of the pedigree of American small-r republicanism will have to go back to Taylor's own writing. There we can find ingenious if sometimes wobbly disquisitions on the nature of American virtue (to be produced by instituting virtuous public policies); on the dangers of a new

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artificial aristocracy of speculators and influence-peddlers (Americans overlook this process, deceived by their own rhetoric about having abolished hereditary titles; they are, says Taylor, like husbands who worry about the rape of their wives, failing to grasp that seduction is not only more insidious but more frequent); and on several other themes. His habitual tone is of intelligently glum reproof, verging on paradox. Taylor is a conservative reformer, a pessimist who appeals to optimistic presumptions of virtue among his fellows. Quotations can be isolated so as to present him either as a reactionary or as a progressive. Perhaps the ambiguity lies not solely in John Taylor but in the whole teeming history of *res publica americana*.

MARCUS CUNLIFFE

Marcus Cunliffe, who teaches history at George Washington University, is writing a book tentatively titled *Monarchy, Republicanism and the Americans*.

BRIEF REVIEWS

Beyond the Pale and Other Stories by William Trevor

(Viking, 256 pp., $12.95)

Hardly a year has gone by in more than a decade without an exceptional novel or book of short stories from William Trevor. In his latest collection, *Beyond the Pale*, the map of Trevor's extraordinary imaginative range, which he has charted so far in eight novels and four previous volumes of stories, is unrolled all the way. Like the best maps, its beauties are understated but exact and intense; its lessons about the world seemingly inexhaustible. Trevor carefully delineates the boundaries of people's private worlds, marks where their hearts lie, where their minds roam. He also sketches in those pales that divide the daily delusions of personal lives from the horrors in the history of the two nations he knows from experience, Ireland and England.

The characters in Trevor's stories bravely, if often misguidedly, venture into "other people's worlds," as he put it in the title of last year's novel, or else beyond the pales of conventional, limited historical awareness. They rarely find themselves on firm terrain. In "Downstairs at Fitzgerald's," perhaps the best story in the collection, 13-year-old Cecilia suddenly has to revise her special, comforting visions of the private world she shares with her father, who is divorced from her mother. At their regular lunches together in Fitzgerald's Oyster Bar she often wonders whether he is lonely, but mostly she relishes their companionship; these outings "were like a thread of similar beads that ran through Cecilia's childhood, never afterwards to be forgotten." This year, though, the thread breaks. A precocious, slightly sinister classmate (Trevor is an expert on such morally dubious types) plants the idea in the thoughtful girl's mind that no one—not her mother, nor her stepfather, nor, most troubling to Cecilia, her father—knows for sure which man is her real father. Every time they've sat in Fitzgerald's, Cecilia imagines all too clearly, her father has had to wonder about the girl across from him. Suddenly doubt is everywhere, tainting the past and the present, looming over the future: "on all their occasions in the future there would be the doubt. Neither of them would ever really know for sure what being together meant, downstairs at Fitzgerald's or anywhere else." With quiet courage that is no longer childlike, Cecilia has seen the spaces that separate private worlds, and she will always stand apart as certain of Trevor's characters do. Older, she'll no doubt be like Valerie Upcott in "The Time of Year," who has taken the measure of her collegiate world and gauged her distance from others: "A solitude has been made for her, while they belonged to each other, separate yet part of a whole."

A similar solitude has long been the lot of 50-year-old Cynthia in the title story, who is vacationing, as usual, in Ireland with three fellow Britishers who "belong to each other." Imaginative in her isolation—as Trevor's introspective characters tend to be—Cynthia finds her vision suddenly transformed when she penetrates a pale of historical perception. This year at the cheerful hotel the foursome always visits, they notice a morose Irish guest who is clearly out of place; while the others are off on an outing, Cynthia listens to his tale of a childhood sweetheart turned terrorist and then sees him drown himself. She is temporarily deranged by the discovery of a terrible truth: "Evil breeds evil in a mysterious way. That's the story the red-haired stranger passed on to me," Cynthia raves to discomfited guests, disrupting the calm hotel, "the story you huddle away from." Indeed her fellow vacationers do recoil, ignoring her call to "root our heads out of the sand and wonder about two people who are beyond the pale. . . . England has always had its pales. The one in Ireland began in 1395." Although their callousness is appalling, Trevor also sees that Cynthia's seizure by horrifying moral insight is only ravaging, not healing. The narrator of another story, "The Blue Dress," has been driven mad by the perception that the truth—in Northern Ireland and elsewhere—"isn't nice," and he writes from a "small grey room."

Trevor does, however, teach a lesson that can perhaps help in large, colorful life. In "Autumn Sunshine," another wonderful story, an aging Irish rector delivers a sermon to his congregation "in which he tried to make the point that one horror should not fuel another, that passing time contained its own forgiveness." Trevor's merciful moral compass surely points in the most promising direction.

ANN HULBERT

China's Intellectuals: Advise and Dissent by Merle Goldman

(Harvard University Press, 320 pp., $22)

In marked contrast to the American political system, which legally guarantees the orderly participation of Americans in their government (a wry twist on Article Two, Section Two of the Constitution provides the subtitle of the book here under review), China's Communist rulers have never provided their subjects with any legitimate means of

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access to political life. Articulate segments of Chinese society, intellectuals in particular, have therefore been constrained to align themselves with political factions in order to gain a public hearing for their own views. The interests of Chinese intellectuals over the past 40 years, however, as Merle Goldman has made abundantly clear in two masterful studies on the subject, have never coincided entirely with those of the factions with which they have been associated. Both the "liberal" intellectuals affiliated at various times with the Communist Party bureaucracy and the "radical" intellectuals allied with Mao Tse-tung during the 1960s were denied their freedom of speech once their opinions began to diverge from those of their political patrons.

Literary Dissent in Communist China, published in 1967, chronicles the history of the Communist Party's uneasy, often hostile, relationship with Chinese intellectuals during the 1940s and 1950s. In her fascinating new work, *China's Intellectuals: Advise and Dissent*, Goldman brings the story of intellectual dissent in China up to date. The disastrous Great Leap Forward, we learn, caused the Communist Party leadership to polarize into opposing factions, around which informal groups of intellectuals had coalesced by the early 1960s. Except for those relatively brief periods (the Cultural Revolution of 1966-1969 and Chairman Mao's demise in 1976) when the leadership conflict actually broke out into the open, these intellectuals served as surrogates for their political mentors and waged their battles for them in the form of subtle literary, philosophical, and historical debates. Confronted with controversies of Byzantine complexity and frequently tainted with personality conflicts as well, Goldman does a superb job of unraveling the tangled skein of political intrigue to show how ostensibly academic discussions among writers, philosophers, and historians actually have been political debates on the question, Whither China?

One of Goldman's aims in *China's Intellectuals* is to place the political struggles which have convulsed the People's Republic in recent decades in historical perspective—that is, to view them in relation to bureaucratic campaigns of the late imperial period. Thus Goldman points out the "liberal" intellectuals' self-conscious identification, during the early 1960s, with the Donglin scholars, moral crusaders of the late Ming dynasty (1368-1644) who had also risked death in their efforts "to clean up the government." The mode of discourse adopted by the surrogates in their ostensibly academic debates, one of indirection and insinuation ("pointing at the mulberry to revile the ash"), is a second strand of continuity between modern intellectuals and their Confucian predecessors.

GOLDMAN IDENTIFIES another recurring political technique: the use by political partisans of issues seemingly insignificant and unrelated to politics—such as opera reform or birth control—to launch major bureaucratic campaigns against highly placed officials. (In his marvelously lucid and riveting account of the late Ming polity, *1587, A Year of No Significance*, Ray Huang describes this age-old pattern of "stripping away the outer layers to reach the core" in words as relevant to contemporary as to 16th-century China.) A final strand of continuity between recent and remote political debates owes its existence to China's hopelessly underdeveloped judiciary: lacking the legal machinery with which to conduct arbitration over conflicting claims, political partisans have always tended to transform technical issues into moral issues, which they have then debated on the basis of quotations taken from canonical works. As a result, the demand for ideological purity in Maoist China, as in imperial China, frequently has outweighed the demand for technical and organizational solutions to problems.

Campaign by campaign, Goldman guides us through the murky waters of recent Chinese history, carefully pointing out at every turn the ways in which the political and intellectual realms have been related to each another. While the story she has to tell is not a happy one (a fair number of the protagonists of *China's Intellectuals* paid the ultimate price for daring to offer their "advice and dissent"), Goldman's book will undoubtedly find the wide audience it deserves as a first class treatment of a complex and important subject.

JOEY BONNER

Joey Bonner is affiliated with the John King Fairbank Center for East Asian Research, Harvard University.

TRB, *from page 4*

committee sitting on a raised dais at one end, encompassed in blinding TV lights. Volcker is coming to be the most controversial figure in Washington. From his semi-independent fiefdom he argues that the government ought to balance its budget, and he and his board insist on constricting the money supply (which sends up interest rates) if the government keeps flooding the economy with Treasury IOUs.

Volcker is an odd type to inspire such controversy; he is so big and so calm and so humdrum. He is both avuncular and formidable. He says mildly that the situation is dangerous. Senator Kennedy puts fire into it—the nation is "careening toward economic disaster," he says—but Volcker eschews hyperbole. He is about as emotional as a bag of sand. And yet there's the issue. When Reagan first came to the Presidency, he had a mandate to balance the budget, and he was going to do it right away. He made enormous cuts in taxes and increased the funds for defense. Wall Street took fright, stocks and bonds dropped, a recession developed. New York Representative Jack Kemp, the supply-side enthusiast, called for Volcker's resignation. At first Reagan asked the Fed to tighten money and raise interest rates, but when the inevitable recession developed he became silent. Subsequently he has disassociated himself from the Fed's monetary policy, though last February in the President's Economic Recovery Program, he said, "the economic scenario assumes that the growth rate of money and credit are steadily reduced from the 1980 levels to one-half those levels by 1986."

Wall Street scanned the State of the Union message carefully last week to see where the President now stands. He is cheerful. His tax cuts will "put us on the road to prosperity and stable growth by the latter half of this year." More taxes? No, he will not "try to balance the budget on the backs of the American taxpayers." That was one of the big applause lines of the speech.

This seems to leave the situation in a stalemate. Ronald Reagan, it seems to us, is playing a high-risk game. Maybe economic recovery is at hand—we all hope so. If it isn't, he can blame the Federal Reserve Board or the Democrats or both, but Republican chances will fade in the fall election.

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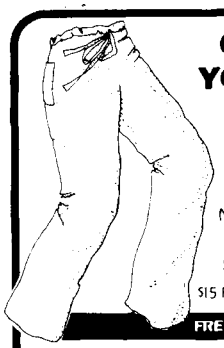

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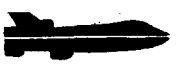

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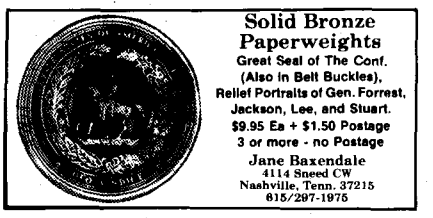

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WASHINGTON DIARIST

Entrapment

IS MIKE WALLACE a racist? Probably not. To be sure, he had the poor taste to quip that low-income mortgagees fail to read the fine print on their contracts because "they're probably too busy eating their watermelons and tacos." (We have the San Diego Federal Savings and Loan, which brought recording equipment of its own to a "60 Minutes" interview, to thank for this quote.) But I suspect that this is not the sort of remark Wallace would make to, say, Ed Bradley over corned beef at the CBS commissary. Why, then, did he say such a smug, racist, fathead thing? An account of the incident in the January 12 *New York Times* provides a clue. Wallace told *Times* reporter Tony Schwartz that the joke was meant, in part, to elicit possible "latent racist" views that the interview subject, a bank executive, might have. So what has been mislabeled by the press as a remark that is offensive to blacks and Hispanics is really, at heart, a remark that is offensive to bankers. It was shorthand for, "We're all smug racist fatheads here, aren't we?" The technique is a journalistic equivalent of what lawyers call entrapment.

IT WORKS LIKE THIS: you approach an interview subject with a question like, "Do you think [insert race or nationality] people are inferior?" If you are very lucky, the subject will think you're a lunatic and will want to dismiss you quickly by saying, "Yeah, sure." (The same result will be achieved if the subject is not paying attention, so it may be fruitful to launch into five minutes on sociobiology before posing the question.) Alternatively, the subject may agree that [insert race or nationality] people *are* inferior, and, mistakenly sensing the presence of a kindred spirit, will say so. That is the assumption Wallace was going on, judging by the unwise excuses he made to the *Times*. The final step in the process is quoting the subject without the context of the provocative question. Thus, when Ronald Reagan was asked, after the fatal shooting of John Lennon, whether he still opposed gun control, he gave the press an opportunity to report that in the wake of Lennon's death, all Reagan wanted to do was spout National Rifle Association rhetoric. (Responsible papers reported in the seventeenth paragraph that the remark was in response to a question.) "In the wake of" helps by implying cause and effect without actually affirming it.

ONE REASON it is unfair to treat even the President this way is that he is very obliging in providing more legitimate grounds for ridicule. No one, for instance, had to lure him into his poor explanation for allowing racially segregated schools to receive tax exemptions. By sloughing the problem off on Congress, Reagan had left himself vulnerable to the charge that he is a racist. (It didn't help that the legislation was introduced "in the wake of" strong protests against the granting of the IRS exemption.) Despite a high-minded statement Reagan released on the constitutional principle behind his decision, he's still vulnerable to that charge. "I am . . . opposed to administrative agencies exercising powers that the Constitution assigns to Congress," he explained. "Such agencies, no matter how well intentioned, cannot be allowed to govern by administrative fiat." That's a respectable enough position for someone else to take, but not Ronald Reagan. Not the President whose Justice Department is fighting to enhance government by "administrative fiat" in the *Chadha* case. Currently before the Supreme Court, *Chadha* is a challenge to the legislative veto, a mechanism Congress employs to override decisions it doesn't like by certain federal agencies. Candidate Reagan favored the legislative veto as a democratic check on regulation. But President Reagan sees things differently. The legislative veto has been an obstacle to deregulation in the Interior Department, among other places. A decision by Interior can be turned around, in some cases, by as little as one vote by one House committee. In at least two instances, mineral rights leasing proposed by James Watt has been stopped this way. So the President has decided to go ahead with *Chadha*, a lawsuit he inherited from Jimmy Carter. What do such constitutional somersaults tell us? That a political principle is only worth abandoning for the really important things, like environmental free-for-alls.

AN INTELLIGENT-LOOKING husband and wife, each in a bathrobe, peer inquisitively at the reader. The man, seated in an armchair, has been leafing through the Sunday paper, sections of which lie scattered at his (bare) feet. The woman, leaning against the back of the chair, has, I suppose, just asked him if he prefers grapefruit to orange juice this morning. "You are not alone," reads the advertisement, which appeared in the *New York Times* on January 20. "This Sunday 61 million other adult Americans also chose not to go to church." These are not, as far as I can tell, two people who are likely to inconvenience themselves on Sunday morning. But then, this is no fuddy-duddy church. "We're the Unitarian Universalists. We've been around for a long time, and we've attracted some of the most significant and independent thinkers in history: Thomas Jefferson, Charles Darwin, Oliver Wendell Holmes, Susan B. Anthony, Dorothea Dix, Henry Thoreau, Clara Barton, Isaac Newton, Ralph Waldo Emerson, Dr. Linus Pauling, Elliot Richardson. . . ." No, these last two additions to the Unitarian Hall of Fame aren't misprints. They're celebrity endorsements. This is a proselytizing technique that is more familiar to consumers of folk culture than it is to the Cuisinart crowd, to whom this pitch is obviously directed. Gospel singers have babbled about salvation to less "discriminating" audiences for decades. When Ethel Waters used to talk religion, she tried to tell you what inspired her. But Elliot and Linus wouldn't dream of being so vulgar as to bare their souls. For their missionary work, a little historical name-dropping will do. (Darwin, et al. are in no position to object, being dead.) What about doctrine? The ad tells us that Unitarians "are more concerned with the essential goodness of people, not some inherent sinfulness. We are more concerned with the here-and-now, rather than a hereafter." The Sunday morning couple pictured in the ad seem, all at once, not the lazy agnostics we took them for, but thoughtful, serious, yes, even *religious*. "The Unitarian Universalists. An exciting way to wake up Sunday mornings." And as fine a peer group as you'd ever hope to have.

T. N.

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"Cloning the sun's fire could mean a billion years of energy."

"Nuclear fusion is the energy source of the sun and the stars, and if we can reproduce that process on earth, we'll have energy for a billion years," says Dr. Tihiro Ohkawa, Vice President for Fusion Power Research at General Atomic Company, a subsidiary 50% owned by Gulf Oil Corporation.

"Our research programs, sponsored by the Department of Energy and others, could lead to construction of an experimental fusion reactor within a decade.

"Both fusion and conventional fission reactors produce heat, which can, for instance, generate electricity. But fusion produces less radioactive waste than fission. It can't get out of control. And it uses cheaper fuel — hydrogen instead of uranium. In fact, fusion reactors can make fuel for fission reactors, and possibly could even burn the fission reactors' wastes.

"It's a tremendous technological challenge, but the reward is tremendous, too: inexhaustible energy for tomorrow."

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Gulf people: energy for tomorrow.

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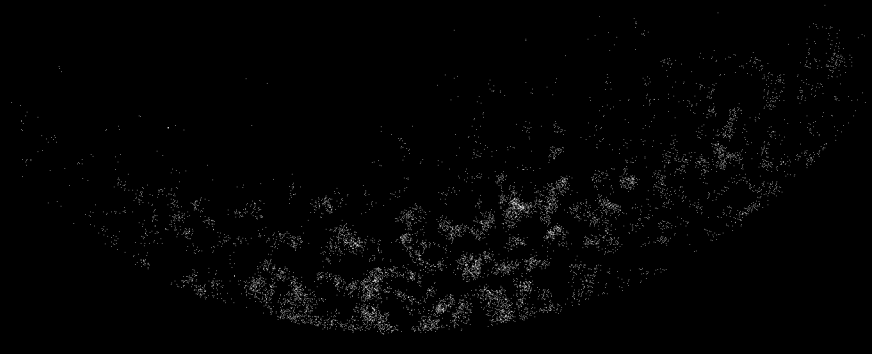

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